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ABSTRACT

The European Forum for Child Welfare (EFCW) is committed to promoting the implementation of the United Nations Convention on the Rights of the Child, and the Convention's views underpin and influence the work program of the EFCW. The 1994 EFCW Conference concentrated on articles within the Convention whereby mobility within Europe may have a detrimental effect on children. This report contains the following presentations from the conference: (1) "Children at Risk in a Mobile Society and Mobile Children in a Risky Society" (C. D. Spinellis); (2) "The Rights of the Child in Europe: In the International Context" (Michael Jarman); (3) "The Rights of the Child in Europe: In the Context of Human Rights" (Anna Gillett); (4) "The Rights of the Child in Europe: In the European Union" (Michele Teirlinck); (5) "Social Exclusion in Europe" (G. Tsiakalos); (6) "Children from Minority Communities and Indigenous Populations: Racism and Xenophobia" (P. Chiozzi); (7) "Refugee Children" (Wendy Ayotte); (8) "Children and Poverty" (Brid Ruddy); (9) "Protection of Children: Within the Convention on the Rights of the Child--A Eulogy or a Euphemism" (Helen Agathonos-Georgopoulou); (10) "Sexual Abuse and Exploitation of Children" (Katharina Abelmann-Vollmer); (11) "Sale, Trafficking and Abduction of Children" (Giovanna Titus-Brianti); (12) "Child Care Workers in a Mobile Society--Openings for Paedophiles?" (Jim Currie); (13) "Families in Society: Allies or Enemies of Children's Rights?" (Jane Tunstill); (14) "Stepfamilies and Child Maintenance" (Erica De'Ath); (15) "The Reconciliation of Family and Working Life" (Harris Symeonidou); (16) "Family Needs in Rural Areas" (Pedro Ascensao); and (17) "The Child's Perception of Rights" (Evi Hatzivarnera). A summary of recommendations from conference workshops is also included. (TJQ)

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FORUM EUROPEEN POUR LA PROTECTION DE L'ENFANCE
(A regional group of the International Forum for Child Welfare)

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"THE EFFECTS OF MOBILITY : THE RIGHTS OF THE CHILD IN EUROPE"

edited by
Sarah WILLIAMS

Report of the Conference held on 14-16 April in Athens

Sponsored by the European Commission

July 1994

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Sarah Williams
July 1994

"The Effects of Mobility : The Rights of the Child in Europe"

Table of Contents

		Page
Acknowledgements		
Preface	*Tom White*	01
Background to the Report		02
1. Children at risk in a mobile society and mobile children in a risky society	*Prof C D Spinnelis*	03
2. The Rights of the Child in Europe		
i In the International Context	*Michael Jarman*	11
ii In the Context of Human Rights	*Anna Gillett*	19
iii In the European Union	*Michèle Teirlinck*	23
3. Social Exclusion in Europe	*Prof G Tsiakalos*	26
i Children from Minority Communities and indigenous populations : racism and xenophobia	*Prof P Chiozzi*	33
ii Refugee Children	*Wendy Ayotte*	37
iii Children and Poverty	*Brid Ruddy*	42
4. Protection of Children	*Helen Agathonos-Georgopoulou*	54
i Sexual Abuse and Exploitation of Children	*Katharina Abelmann-Vollmer*	62
ii Sale, Trafficking and Abduction of Children	*Giovanni Titus-Brianti*	68
iii Child Care Workers in a Mobile Society - Openings for Paedophiles?	*Jim Currie*	73
5. Families in Society	*Jane Tunstill*	78
i Stepfamilies and Child Maintenance	*Erica De'Ath*	89
ii Reconciliation of Work and Family Life	*Haris Symeonidou*	99
iii Family Needs in Rural Areas	*Pedro Ascensao*	105
6. The Child's Perception of Rights	*Evi Hatzivarnera*	108
Summary of Recommendations		133
Appendices		
i Conference Programme		
ii List of participants		

PREFACE

As President of the European Forum for Child Welfare, I am pleased to commend this important report. EFCW exists to improve the quality of life for children and young people in Europe, and this document highlights important issues which need to be addressed.

The 'global village' - possibilities for travel and communication, learning from wider experiences etc., offer wonderful opportunities for children to learn about the world and their place in it. But ... there is a downside; the thousands of European children who are excluded in this global village are vulnerable to all sorts of damage.

The free movement of labour, goods and services across Europe raises important issues; concerns as well as opportunities for children and young people. Mobility cannot be thought of simply in economic terms. The educational and social dimensions pertaining to mobility have acute and far-reaching implications for children.

What can be done to combat the potential damage that exclusion can cause from the growth of racism and xenophobia, lack of harmonisation in the area of unaccompanied refugee children, and from grinding poverty.

Will open frontiers lead to even more child pornography and sexual abuse, child abduction, with child abusers seeking work in a neighbouring country where police checks are not made? As changes in demography and family and work patterns increases, how can families be supported in their child rearing role; and encouraged to maintain a care and economic responsibility for children when a partnership ends, a new partner introduced, or a parent works in another country? What range of policies and services needs to be provided that will work in the best interests of children?

We do not pretend to have all the answers to those very complex issues, but this report opens up the debate and gives pointers to where action should be taken now. Since every EU country has ratified the UN Convention on the Rights of the Child every endeavour should be made to see that it is fully implemented, that is unfortunately not the current position.

EFCW will take positive action to encourage and promote the implementation of as many of the report's recommendations as possible and will incorporate the appropriate ones within its own work programme.

Tom White
NCH Action for Children
President EFCW

BACKGROUND TO THE REPORT

The European Forum for Child Welfare is committed to promoting the implementation of the Un Convention on the Rights of the Child, and the Convention's values and principles underpin and influence the work programme of EFCW.

In November 1993, an experts seminar, sponsored by the European Commission, was held in Brussels (report available from EFCW) on the 'Rights of the Child', with special emphasis being given to the child's best interest, non-discrimination and access to information. The findings and recommendations from the seminar informed and animated the programme for this conference, held on 14-16 April 1994 in Athens.

Although the European Union has, as yet, no competency for children, the consequences of the Single Market and open frontiers will inevitably have a profound effect on young children and their families.

With this issue to the fore, the conference concentrated on articles within the Convention where mobility within Europe may have a detrimental effect on children.

Workshops were held on specific practice issues under three headings :

1. Social Exclusion (Articles 22, 23, 30)
2. Protection of Children (Articles 10, 20, 30, 32-36)
3. Family Support (Articles 18, 27)

and the recommendations from these workshops are included in this report.

This report should be seen as one in a series concentrating on children's rights.

Children at risk in a mobile society
and mobile children in a risky society

Children at risk in a mobile society and mobile children in a risky society

Dr SPINELLIS is Professor of Criminology and Penology at the Law School of the University of Athens, and Director of the Centre for Penal and Criminological Research of the same University

Numbers are often more eloquent than words. According to last year's data, stemming from UNICEF :

- more than 12.000.000 children became homeless because of wars that plague their countries;
- more than 5.000.000 children of expelled families have lived in refugee campus; while
- about 200.000 children, aged 12 to 15, have been fighting wars since the end of the '80s.

Moreover, numbers are terrifying in our neighbouring former Yugoslavia:

- 3.500.000 refugees.
- 620.000 refugee children (and I prefer this term than the official "unattended refugee persons" (URP) for two reasons : firstly, because there are refugee children who are accompanied by an adult and this does not reduce their problems, and secondly, because the neutral term URP does not emphasize the keyword "child").
- 35.000 wounded children.
- 15.000 dead children.

And the incidents increase every day.

Refugee children, children of migrants and illegal migrants, homeless children, children victims of violence or economic exploitation or sexual abuse, children abused physically and mentally. In other words : *"children at risk in a mobile society and mobile children in a risky society"*.

"The language is alive, as the people who are speaking it" as a French writer of the beginning of this century put it. New words enter into our vocabulary; words which describe the changing social reality and the new technology.

Social Mobility : Mobile Children in a Mobile Society

The term *"social mobility"* has developed in our century with the evolution of sociology and the easier movement of populations. Horizontal or geographic mobility refers to persons moving from one place to another, while vertical mobility entails movement from one level of the social hierarchy to

another. I will focus on *geographic mobility*. Usually, it is related to employment chances (in particular a well-known sociologist suggests that "the number of people going a given distance is directly proportional to the number of opportunities at that distance, and inversely proportional to the number of intervening opportunities".[1]

The above idea explains the migration flows, namely :

Internal migration which usually has the form of a permanent, or temporary, movement from rural or semi-rural regions to the large urban, or industrial, centres.

External migration from poor countries to wealthy ones.

Innovative migration which leads the immigrant to change employment and lifestyle, eg from farmer to an industrial worker, or - as it is occurring recently with the immigrants or illegal immigrants from the ex-socialist countries - from skilled workers to unskilled manual workers.

Legal migration that meets the needs of the developed countries for low-income in low prestige jobs.

Clandestine or illegal migration which does not require an explanation. Many of us in Greece have watched the under 12 year old children from Albania who, standing by the traffic lights and trying to clean a car, or to sell paper tissues, face many risks.

Unlike the migration flows, the *refugee flows* suggest a movement from the country of persecution to whatever countries (usually neighbouring ones) is possible to seek and get a refugee status. All these mobile populations are usually accompanied by minor persons. Some children are indeed left behind in the country of origin. Others are travelling either with certain adults - who could be their parents - or alone.

The movement of refugees, inter-State adoptions, illegal adoptions, the black market of babies and the transfer of children with the purpose of economic, or even sexual exploitation, constitute contributing factors to children's mobility.

The refugee population worldwide is estimated to be 18 million. Refugee children are almost 9 million. Europe as a whole receives about 5% of the 18 million refugees. For refugee children there are no exact figures. With respect to children that take refuge in countries of Europe, statistical data is scarce. Germany receives the largest number : several thousands each year. France receives more than 500 children, while the majority of the European countries receive less than 500 children per year. A small number of refugee children move to Spain, Portugal, Luxembourg and Greece.

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[1] S Stouffer, "Intervening Opportunities : A Theory Relating Mobility and Distance".
American Sociological Review, v5, 1940, p846

A considerable number of refugee children come from Ethiopia, Erithrea, Somalia, Turkey, Shri Lanka, Iran, Irak, but also from Zaire and Afghanistan. Recently, children from Albania, former Yugoslavia, Rumania and Bulgaria are also moving to Europe.

However, the movement of refugees, and particularly of refugee children whose basic needs are not satisfied – if their fundamental human rights are not violated as well – are not the only social phenomena that entails our *mobile society. The geographic mobility of 130 million Europeans under 25 years old is expected to increase in the European Union.* A considerable number of migrants are coming from North Africa, the Middle East and Turkey. The sociopolitical changes cause, and will continue to cause, at least in the short run, a mobility flow which is impossible to be estimated.

This suggests that our contemporary society is characterized by geographic mobility. Nevertheless, mobility does not come alone. It is accompanied by *risks* which endanger the younger and vulnerable members of our society. Suffice to mention the risks from traffic accidents, environmental pollution, drugs, AIDS.

Risikogesellschaft (Risky Society)

In 1986, the German theorist, Ulrich Beck – but also N Luhman some years later – analyzed the meaning and the structure of *Risikogesellschaft* (another element of the title of this paper). More specifically, Beck published a book entitled : "Risikogesellschaft, Auf dem Weg in eine andere moderne" (Risky society or the road to another contemporary society). In this, he points out that in the risky society of our day, the industrial production goes along with the production of risks. Hence, inevitably the logic of wealth distribution is replaced by the logic of risk distribution. And certainly, children face a great part of these risks : risks because of international conflicts (this is the name for contemporary undeclared wars), risks because of nuclear industries and nuclear wastes, of unemployment and the new poverty, of delinquency and drugs, of migration or refugee movements, or even because of the "cultural volcano" – to use once again an expression of Ulrich Beck. And the enumeration obviously can go on and on. The term "risk", which in its general meaning denotes chances of loss (Gould/Kolb) nowadays often refers to "certainty of loss".

Moreover, they are needed in order to suggest means and ways to cope with the already known incidents of victimization of minors. In a recent research, for instance, concerning the population of all Greek prisons (except for one in Alikarnassos, Crete) on 1 May 1993, in a total of 6811 prisoners, 1544 foreigners were found. The foreigners constituted approximately one-third of the total number of prisoners and came from 81 different countries. Most came from Albania (489 persons), and last in the list were the Iranians (21 persons). About 80 persons were women. One wonders : *"How many of these prisoners have children in our country, or in their own, who are at risk?"* Our research, at this stage, did not get into this issue.

Children at risk

It is not accidental that during the last decade in the context of the United Nations, the term "children at risk" was coined. This term, on the one hand, replaces many doubtful, controversial and vague terms, and, on the other, consists a useful tool for *discreet* preventive intervention. Children at risk are considered the children at "moral danger" or at "real danger". (Parenthetically, one should mention here Article 375 of the French Civil Code (first paragraph) in which it is stated : *"Minors less than 21 years of age whose health, security, morality or education are at risk could be submitted to measures of educational assistance according to the conditions of Articles 375-1 to 382.* (Somewhat similar provisions exist in Belgium and Greek law referring to minors). The term "children at risk", therefore, includes pro-delinquent children, neglected children, children who for years depend on social services or need services of this kind. Therefore, to this category also belong the refugee children, migrant children, child victims of illegal adoptions, the child victims of State or family violence, the child victims of economic or sexual exploitation, etc.

Three year ago, the Council of Europe, after a study of the problem of exploitation of children, recommended to Member States preventive, legal, social and therapeutic measures concerning children, who are sexually exploited, or who participate, among others, to pornographic photography or films, or to what is called "child prostitution". (Recommendation (91) 11). In the latter, young mobile minors of both sexes from countries of the Third World, or from less privileged groups, are involved. They prostitute themselves for money or gifts. Their clients are adults coming from wealthy countries or from privileged groups. "Sex tourism" or business trips brings them to "child prostitution" purposely, or accidentally.

All these categories of children are at immediate risk : they are held in unsuitable places, in shelters or sometimes - not rarely - they end up in police stations or prisons. Often these children run the risk of being repatriated or expelled. Wherever they are, their right "to a standard of living adequate for a child's physical, mental, spiritual, moral and social development" is not safeguarded (Article 27 of the Convention on the Rights of the Child). Moreover, their rights to education (Article 26 of the Convention on the Rights of the Child), to rest and leisure and to participation in the cultural and artistic life (Article 31 of the Convention on the Rights of the Child) but also even their inherent right to life (Article 6 of the Convention on the Rights of the Child) are violated.

Furthermore, these children have been suffering the trauma of separation from their parents, their relatives and their country; they have lived with the insecurity of family disorganisation or of international conflict, and they have been victims of State violence or other forms of violence. Amnesty International, each year denounces cases which brutally violate human dignity and children's rights.

The Convention on the Rights of the Child

The United Nations Convention on the Rights of the Child was ratified by Greece in 1992, and ever since, in accordance with Article 28, para 1 of the Greek Constitution, is part of the domestic law. A reference to this

Convention bring to mind the inspired cover of the International Children's Rights Monitor (Special Issue, 1991). The picture represents a child playing hopscotch. On the tiles of the pavement are ten squares. At the beginning of the game is written the word "ratification", and at the end of the word "implementation". However, a little before the end, an open manhole is in wait for the child, who is already standing on one leg - the child is at risk.

It has been correctly pointed out that the whole Convention on the Rights of the Child could be summarized in three words : prevention, protection and participation in decisions that concern children. However, as all European States face the consequences of a rapidly changing world and of a strong geographic mobility, inevitably a number of questions arise with respect to the extent that the Convention on the Rights of the Child covers the specific needs of mobile children.

On the first level, one has to examine the degree to which the said Convention protects mobile children. A careful reading of the Convention reveals that there are provisions for all categories of mobile children living in our contemporary mobile, and especially risk (for children) society.

- **Article 9** refers to children whose parent(s) are exiled, deported, detained, etc., and to their right to be given essential information.

- **Article 10, para 2** refers to the Right of a Child to leave any country, even that of the State Party.

- **Article 11** provides for measures to combat the illicit transfer and non-return of children.

- **Article 21.b** deals with inter-State adoptions and consider them as a "last resort" solution.

- **Article 22** refers to refugee children and to children who are in similar conditions, and compels Member States to take measures to ensure that these children receive appropriate protection and humanitarian assistance.

- **Articles 32, 33, 34 and 36** recognize the right of children who are at risk of illicit use of drugs, or of sexual exploitation (prostitution or pornography), or of other forms of exploitation prejudicial to their welfare to be protected.

- **Article 35** deals with children-victims of abduction, sale or traffic.

- **Article 38** refers to children-victims of armed conflicts and to measures to ensure that children who have not attained the age of 15 years do not take a direct part in hostilities.

- **Articles 37 and 40** finally cover a new category of children at risk : children potential victims of the penal justice system, children alleged as, accused of, or recognized as having infringed the penal law, children witnesses in penal proceedings against adult perpetrators, children victims of capital punishment, torture, or other cruel, inhuman or degrading treatment. The Convention guarantees the Right of the Children who are still alive to be reintegrated in society, assuming a constructing role in it.

Consequently, it would be safe to conclude that the Convention on the Rights of the Child provides for all categories of mobile children.

On the second level, questions arise

Does the Convention on the Rights of the Child make provision for preventional protective interventions for the "children at risk" and for the cases of children that the risk, or better the injury, has already occurred? It is a common place that the Convention provides for legislative, administrative, social, judicial and educational measures, which, at least in principle, guarantee a number of fundamental rights for all children. Such rights have obviously a particular meaning for mobile children, as the right to life (Article 6), the right to preserve one's own identity, nationality and family relations (Article 8), the right to family reunification (Article 10), the right not to be subjected to illicit transfer abroad, or to non-return (Article 11), etc.

In the third and last level, three crucial questions should be asked :

* Could mobile children at risk claim their rights for protection State interventions?
* By what mechanisms?
* Is there a way of exercising pressure on the States to provide the necessary protection and the appropriate prestations, particularly in the name of the underprivileged children who suffer the consequences of mobility?

Undoubtedly, the Convention on the Rights of the Child could be considered a big step forward. The Convention has transformed each child-object of State care and protection into a child-subject of rights. In other words, each child is now entitled to adequate State care and protection, and the State should not offer child care services whenever it wishes, and of whatever quality or quantity. Yet, on the enforcement level, one notices that the European Convention on Human Rights makes provision for an individual petition to the Commission and to the Court, and, therefore, there is a possibility to condemn a State which neglects its obligations towards its citizens or towards foreigners temporarily or permanently residing in the said State. Such mechanisms and organs, however, are not provided in the Convention on the Rights of the Child. From the Convention on the Rights of the Child is also missing the "optional complaints procedure" which is provided in other United Nations Conventions, when, of course, the State Parties have accepted this procedure. Competent bodies are the so-called "treating monitoring bodies", such as the Commission for Human Rights, the Commission for the Elimination of Racial Discrimination, and the Commission against Torture (see International Children's Rights Monitor, vol 8, 1991, pp4 and 5).

It is true that the Convention on the Rights of the Child establishes, in Article 43, a "treating monitoring body" - the Committee on the Rights of the Child. However, the Committee's role is only to examine reports submitted by State Parties on the measures they have adopted in order to give effect to the rights recognized in the Convention. This is, indeed, the "Achilles' Heel" of the Convention. Those who are involved in issues of child care and protection know that this Committee started operating almost four years ago, and particularly on 27 February 1991. It is an undenied fact that

the Convention on the Rights of the Child guarantees a wide range of rights, and that it has been ratified by most of the countries that ratify Conventions of this kind. However, it is an open question *"what* is the desired content of the reports, *who* writes these reports, *on what guiding lines"*? In the last analysis, on these questions and on the respective answers, depends the effectiveness of the reports of Article 43.

Should we seek for mechanisms aiming at bringing into the submitted reports the children's voices and needs?

Should the creation of local committees, as has already been suggested, firstly on the level of local government, and then on the level of central government, with the purpose of writing individual reports, lead to a final report based on first-hand information?

Should NGOs, which function in each State Party and which, among others, safeguard children's rights, submit their own individual reports and then the organisations themselves operate as a pressure group so that their point of view would be included in the final report?

Should we study the protection that other international documents, even less specified, as the European Convention on Human Rights offer? After all, the present Congress has a European character. Social workers from the United Kingdom and Sweden have already submitted individual petitions to the European Court on Human Rights on behalf of children whose fundamental human rights have been violated according to their judgment.

Furthermore, within the frame of the Council of Europe, there is a draft Convention on the Children's Rights, especially with respect to procedures of family nature that involve children. Moreover, guiding lines for the prevention of child sexual exploitation offer the Recommendation (91) 11 of the Council of Europe.

Besides, we should mention that according to the United Nations Convention relating to the Status of Refugees (1951), known as the Geneva Convention (which was ratified by Greece) children have the right to ask for political asylum and to be treated as refugees.

Last, but not least, special care could be provided to some children by the Hague Convention for the Protection of Infants. Yet, this Convention has been ratified by less than ten countries, in more than forty years.

It could be worthwhile to wish that the European Forum for Child Welfare should initiate strategies and mechanisms for the protection of children who are at risk in this contemporary, mobile society, so that the survival and welfare of mobile children would be guaranteed, even in our risky society. Thus, one could venture to suggest that with the Forum, the open manhole which is produced by the non-implementation of the Convention and any other manhole which exposes children to risks, while they play or they ought to play peacefully, experiencing their childhood, could close a little.

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The Rights of the Child in Europe

In the International Context

In the Context of Human Rights

In the European Union

The Rights of the Child in Europe
- In the International Context -

Michael JARMAN, President,
International Forum for Child Welfare (IFCW)
is the Social Work Director of Barnardo's UK

It gives me great pleasure to put the rights of children in Europe in the context of the mission, purpose and objectives of the International Forum for Child Welfare (IFCW).

The Mission of IFCW is to work for children worldwide to improve the quality of their lives and to enhance opportunities for the development of their full potential.

These are fine words - but what do they mean? We share a common concern for children. We are committed to making a difference to the lives of children : to give them a better chance than we had ourselves; to give them a greater opportunity to achieve their full potential.

The common purpose which binds us together is that we are committed both as individuals and as a group to understanding and meeting the needs of children. They are the focus for all that we do. The purpose of IFCW is to strengthen NGOs worldwide in their direct and indirect service to children by :

* organising and improving information exchange among its members : and building collaboration and partnerships to affect directly services to children;

* by educating and influencing world opinion on the interest and well-being of children;

* by promoting and organising conferences, seminars and study groups - but with a strong bias to action programmes and not simply talking about action;

* by co-operating with other recognised bodies having similar objectives, like UNICEF, UNESCO or ECPAT.

The International Forum pursues its mission along two parallel tracks :

1. by focusing on critical issues in the welfare of children and developing priorities about those issues,
   and
2. by building capacity in NGOs through programmes designed to give understanding to the issues of organisational growth, development and

efficiency, particularly by understanding the nature of leadership in NGOs and helping to develop further that leadership. Our concern is not about organisations themselves - but their ability to provide good service to children's needs. For example, an organisation can be highly active with numerous activities and programmes - but achieving very little. Its energy may be totally taken up with activity and little thought given to its impacts. We ought to be paying much more attention to the outcomes of our activities.

As President of IFCW the question I have been asked most frequently is - what does IFCW do?

I believe that IFCW lives through the work of its member organisations. Together, we are working to change children's lives by influencing the policies of Governments, and by achieving a greater flow of resources to promote children's interests. Our membership encompasses a wide range of methods, approaches and cultures. We are unique, however, in holding the interests of children at the centre of all we do. And that is not easy.

I suspect we have all experienced the sense of isolation and vulnerability when we have pushed for changes in policy, resources or legislation, or advocated a particular cause. Change always encounters resistance, and we are much engaged in change because our work is about development - and development is another word for change.

Let me now put some flesh on the bones of those two parallel tracks : focusing on critical issues for children, and building capacity in NGOs.

Critical issues for children : nature and scale of current problems

According to UNICEF estimates, more than 1.5 billion children will have been born during the 1990s. 1.5 billion! We know from the predicted distribution of those births, that increasing numbers will be born in poverty and will live in conditions that threaten the chances of those children from achieving anything like their full human potential.

It is also estimated that, by the year 2000, the numbers of people who live in urban areas in the developing countries alone will have increased from 1 billion in 1980 to 2.1 billion - an increase of 110% over a twenty-year period - and representing a shift of population of nearly three times the rate of increase of the world's population during that same period. A further expansion of urban slums and squatter settlements is inevitable.

This is only one example of the many issues which face us today as the world's economic and political systems struggle to cope with a vast amount of change. The pace of those changes is becoming ever faster and more volatile. In such circumstances, it is absolutely vital that we nurture, protect and sustain the development of our nations' children.

Against this background, what are the critical issues facing us in demonstrating the impacts of world changes on children?

Examples stare us in the face daily.

Do I point to the worldwide problem of streetchildren, where in many countries they are learning a lifestyle based on crime, drugs and prostitution? We are shocked when we read, as we did last year, of seven children shot in one episode in the streets of Rio de Janeiro. It is easy to condemn – and we must condemn the murder of children – but it is also easy to forget that most countries, including my own, have the same problem of streetchildren. The causes may be different, but the consequences are much the same. I can describe from personal experience the lives of young people destroyed by the effects of homelessness with its slide into glue sniffing, hard drugs, prostitution, crime and suicide.

During last year, a member of IFCW, Father Shay Cullen, working in the Philippines, sent me a report on streetchildren. Here is a man who has spoken out publicly against the abuse of children and he has faced deportation three times as a result. The report provides some analysis of the causes and consequences : poverty, housing conditions, health, education, child labour, prostitution, pregnancy and abortion, HIV/AIDS and other sexually transmitted diseases. It states that there are an estimated 100 million streetchildren worldwide. It is in the nature of the problem that it cannot be counted accurately, but it is obvious that streetchildren pose a critical challenge to the global community as we approach the year 2000.

The same report from the Philippines also highlighted the use of children in prostitution. Regarding sex tourism – that is, foreign tourists visiting a country specifically to engage in the sexual abuse of children – Shay Cullen writes : *"People of other nations have exploited the raw materials of poorer countries for centuries. Now they exploit the bodies of our children".*

We must not forget that any use of a child in pornographic or other sexual activity by an adult is a violation of the child's human rights. We must not tolerate such violations – some children die every year because the lust of some adults knows no boundaries.

Let me point to another brief example of a critical issue. I have some experience of work in Russia and Rumania where two, three and four year old children are "classified" as "irrecouperable" – in other words, they are deemed as ineducable and not worthy of developmental programmes. They are given the minimum of care and attention and no education. Underpinning this position is a model of diagnosis and assessment which is out of step with developments and knowledge in the modern world : also underpinning it are attitudes to disability and handicap. The victims are children whose human rights are again neglected. For those children with disability, we know, we can demonstrate their capacity to develop and progress with care, love and education : for those small children who were diagnosed wrongly, they are also condemned to a life of confinement and misery. For all of those children, what a waste of human life and potential.

I have mentioned several times – the rights of children. The guiding document for IFCW action is the UN Convention on the Rights of the Child. Let me illustrate, again using the Philippines as a positive example.

In a statement made by the Philippine Government in the United Nations – 27 February 1992 – 48th Session of the Commission on Human Rights : considering the Draft Programme of Action for the prevention of the sale of children, child prostitution and child pornography, it said :

"The Philippines is a signatory to the world declaration on the survival, protection and development of children, and, having ratified the Convention on the Rights of the Child, recently launched the Philippine Plan of Action for children for the year 2000 and beyond. Said Plan of Action commits the Philippine Government to address the basic needs of children. This Plan of Action includes family care, alternative parental arrangements, health, nutrition, social security, basic education, leisure, protection of children in especially difficult circumstances and the protection of the fundamental civil rights of the child."

I want to draw three points out of this illustration.

1. It demonstrates the key importance of having the UN Convention in place to provide a framework for action. It gives us a sense of identity and purpose, and offers us the opportunity to engage with governments and other agencies.

2. It illustrates a sense of progress, slow certainty, but there nevertheless : a sense of progress where a guarantee of even handed application of human rights is an essential component of social development. Paul McCleary, Executive Director, Christian Children Fund USA and Chair of the NGO Committee of UNICEF, speaking at the IFCW Worldforum in Cambridge last year, said :

"For the first time since the dawn of history, mankind is massively engaged in planning for its young ... 85 countries have issued National Programmes of Action ... 30 others have issued drafts and another 30 are working on them. The UN Convention has created a focus of attention which is new and different."

3. This just begins to deal with the problem we all face : that of being overwhelmed by the size and intractability of some of the issues we have to confront. It encourages us to use what we have in abundance, our ideas and our energy, to bring focus to issues about children and to keep the attention of both Governments and the public on those issues. It supports new ideas about the influence and impact of new roles for NGOs in terms of planning with others, aligning NGOs efforts to supplement and support Governments' initiatives, advocating and campaigning where more action is needed, and seeking a greater degree of co-operation, collaboration and partnership between us than we have experienced in the past.

Let me turn to the second parallel track of IFCW activity - that of building capacity in organisations and developing the leadership of NGOs.

It is clear that there is increasing sensitivity to the influence and impact of NGOs in many parts of the world and that the importance of their role is recognised more strongly. If their role and influence is expanding, then the role of IFCW also becomes increasingly important - we must plan with others, align our efforts with the initiatives of others, advocate on behalf of children, partner with each other, increase our capacity to deliver and sharpen our leadership skills.

The world of NGOs is changing fast. There are many new, emerging NGOs. Many are small. Some longer established organisations, who once confined their activities to one country or one region of a country, are now looking

more widely and internationally. This is especially true in Europe with the twin impacts of the single European market and the opening of frontiers with Eastern Europe.

As the world continues to shrink and communications become instant and reliable – how many of you used a fax machine even five years ago compared to today? – the opportunities for mutual support and exchange of learning become ever greater. I believe there is an inescapable moral imperative that older organisations must use the experience they have gained to assist new organisations to establish themselves and to develop further. There are already good examples of this. The learning is usually mutual – the energy and creativity of a new organisation can often give an older and larger one a real shot in the arm and force a reassessment of its priorities and directions.

The changes in role and influence which are upon us require us to lead our organisations in a climate of uncertainty and volatility and to deliver reliable, effective and expanding services to children. In addition, we should be using our experience gained with children to influence governments and educate public opinion to develop policies and resources to benefit children's development.

What are the skills we require? What is the knowledge base we need? There is a tendency to view the leadership of NGOs as something which comes naturally – those who do it are charismatic people who know instinctively the right thing to do. In my experience, this is far from the truth. All leaders need opportunities to gain new skills and develop existing ones; we all need time for thinking and reflection and for gaining insights into common problems by sharing and testing ideas.

An essential truth is that whatever the size of the organisation, in whatever country, in whatever field of service for children, there will be a number of areas of common experience and a number of issues which everyone has to manage and to find their own solution.

There is almost a basic curriculum which many of us are afraid to admit we do not know or understand but which is essential to the healthy functioning of any organisation. Besides providing the essential sense of vision and direction, leadership must be concerned with motivating an often very diverse group of people, from paid staff to volunteers. It must be concerned with organising the work to be done so that the intended outcomes are achieved – which is totally different from organising a lot of work and activities. It is concerned with effectiveness and with efficiency and the best use of the resources available, both financial and human. It is about making a difference to children's lives.

For the past four years, IFCW has run an annual two-day Institute on Organisational Development and Leadership. It is a small contribution to a huge need. My experience of those Institutes is that many participants have clearly demonstrated a steep learning curve and greatly appreciated the opportunity to learn from each other. It has become patently obvious that what is easy and straightforward to some people is apparently insurmountable to others, without further knowledge, advice, and above all encouragement and support. However, with that encouragement and support – huge mountains can be climbed. IFCW thinks this developmental work with the leaders of NGOs is so important that we are striving to develop an

International Centre for Children in Venice, Italy, which, if successful, will provide many more opportunities for this work to develop further.

It is for this reason that a second approach of IFCW towards capacity building, is to encourage member organisations to partner and collaborate with each other. We believe that the actions required in partnering another organisation, for example, over a particular programme for children, will lead to new and broader perspectives developing in both organisations, including management and leadership perspectives.

There are two reasons why I am so committed to this whole area of developing capacity.

Firstly, it is desperately hard to raise funds to support NGO activities on behalf of children. There is a high moral imperative that we use the funds given to us, wisely and effectively. Every time there is a news story about an inefficient or wasteful organisation, it makes the job of the rest of us more difficult.

Secondly, an NGO which is well led and organised will deliver better quality services to more children, and is likely to have the capacity to change its shape and direction as the issues and demands for service also change. It will remain relevant to need and identify new need because of the closeness of its contact with children.

In short, building capacity and leadership means more children achieve their potential.

IFCW directions and some key child development programme principles

I want to indicate now some directions for IFCW, together with some key principles of child development programmes.

We need to be clear that the primary focus of IFCW is not that of emergency aid, although there are certainly some members who are heavily engaged in those activities. Instead, we are a network of organisations who are principally engaged in sustainable long-term development. Those are important words. We have to take a long-term view. We shall not see dramatic changes to problems which are deep rooted and complex. We have to adopt a steady, determined and persistent step-by-step approach. We are concerned with issues of the replication of services using robust, proven models with the development of partnerships to enable projects and services to be owned and developed by the local communities in which they are located, and with the processes by which the child's needs can be seen as an integrated whole, rather than in a series of compartments.

Last year I read a remarkable book called "The Twelve who Survive" by Robert Myers : it is about strengthening programmes of early childhood development in the Third World.

I cannot do the book justice, but a brief restatement of some of the key processes and conditions underlying children's development helps to reinforce principles which should be at the core of all our work and the programmes we deliver.

Firstly, programmes have to build on, or be adapted to, the values and customs of the culture in which the children and their families have their roots.

Secondly, child development is multidimensional. You cannot separate the physiological, cognitive, emotional and social.

Thirdly, development needs stability and predictability in the lives of children.

Child development programmes need linkages – the creation and strengthening of ties between the settings in which the child lives; home, neighbourhood, and school.

A final principle pervades all the rest – and I quote from Bronfenbrenner's foreword :

> *"A primary focus on strengths, as opposed to deficiencies and defects, the strengths that are still to be found, even under the most horrible conditions, within the children themselves, but also within their families, neighbourhood, and – perhaps above all – within their cultures. These are the vantage points from which it becomes possible to counteract, and even to reverse, the processes of developmental disruption and disarray."*

The question is, what steps can be taken to test our programmes and services against these principles?

The European Forum is well established and there are the benefits of not only joining, but taking part actively in the work programme of the Forum.

I offer you two points to consider.

1. If the UN Convention is the guiding document and the action plans of governments provide the framework, there is much to be done to ensure the actions are carried through. It is helpful to know the strategies and tactics which have worked in other countries, especially ones which share some cultural affinity. It is valuable to understand the progress made and equally valuable to know what blockages to progress have occurred. Collaboration of members across countries is a powerful tool to achieve change.

2. In order to enhance the quality of services to children, we can learn from each other – learn what are the most effective methods, what are the research proven models which deliver good outcomes so long as we pay attention to the proper training of staff, what are cheaper and equally effective methods, learn ways to develop fundraising, to approach business for donations, to develop awareness of the power of the media to bring support to a cause.

I want to conclude with three illustrations or stories :

1. I have talked about children's rights and their need for developmental programmes and education. Early childhood education is not available to all children by any means, and to those for whom it is, the programme is often basic. It is an interesting fact that research over a forty year period in one model of early childhood education – High/Scope in the USA – has demon-

strated that for those children in that High/Scope programme, for every dollar that was spent at that age, the equivalent of six dollars was saved in special school places, special support programmes, and prison places that were not required because of the impact of the early childhood programme. That is the kind of information we need when arguing for new programmes and those are the kind of models we need to demonstrate positive outcomes.

2. The second illustration concerns something called resilience - which means - the capacity to do well in spite of difficult or adverse circumstances. Why is it, for example, that in the same neighbourhood, with similar circumstances, one child will grow into a responsible citizen, and another will lead a life of crime? It is a difficult concept to pin down, but at a recent conference I was told this story :

> *Two children in Upper Egypt had one pair of sandals between them. So they took it in turns to go to school. On return from school each day, the child who had attended described what had happened in the lessons to the other child who had been at home. The following day the same thing happened in reverse. In that way two children with one pair of sandals but possessing resilience, gained an education.* I hope that I may show the same resilience in solving problems as those children showed.

3. Working for children is a noble cause. It embodies a spirit which we can recognize in others and only hope that we ourselves can share. Our values drive us to respect each individual as a person of unique worth; our values commit us to providing light at the end of the tunnel - to provide a sense of hope and optimism for those without hope. Our mission is to change the world for children - no more and no less. It is a lifelong cause and we can never ease our efforts because there will always be more - much more - to do. An eminent social anthropologist was once asked : *"Can a group of committed individuals ever make a difference?"* She replied without a pause : *"A group of committed individuals is the only way you can make a difference."*

It is committed individuals, in dozens, in hundreds and in thousands, who will make a difference, and together, make a changed world for children.

The Rights of the Child in Europe
- In the context of Human Rights -

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The international organisations, whether in Strasbourg or in Brussels, do seem to the ordinary citizen to be quite remote, but the very nature of the Council of Europe, based on individual human rights and democratic purposes, represents ideals close to the daily life of all of us.

There are various recommendations and studies of the Council of Europe from all the fields relating to children, in particular children at risk, but I want to concentrate on a very recent study that we have just completed, which concerns street children. I have been asked to focus on *"the rights of the child in the context of human rights"*, and I shall direct myself to that central theme when I come on to this study concerning street children.

Before I do that, I would just like to set the scene in relation to the Council of Europe. I have to proceed with a negative definition - the Council of Europe is not directly related to the European Community! There is no reason, especially when one is in a Member State belonging to the European Union, why you should necessarily distinguish very sharply between the different European organisations. However, 'Europe' does happen to be a word that is becoming subject to a number of different dictionary definitions. For the Council of Europe, Europe does in fact mean the continent of Europe. And the Council of Europe has always included the democratic States within the continent of Europe. Of course that did mean that until 1989 there were about 21 Member States in Western Europe. There are now 32 Member States, including Poland, Hungary, the Czech Republic, the Slovak Republic, Bulgaria, Rumania, Slovenia, Lithuania and Estonia. During the course of this week in Strasbourg, a meeting of the Parliamentary Assembly of the Council of Europe approved the principle of Russia becoming a member of the Council of Europe in due course. I refer to this because it has enormous implications. It is very different looking at the questions arising from the title - *"The effects of mobility - Rights of the Child in Europe"* - if one is looking across the whole of the European continent. The implications are enormous, and we are going to have to come to terms with that.

I am most directly involved at the Council of Europe at the present time with the implementation of a Childhood Policies Project. The central purpose of this project is to seek to illustrate at the European level the implications of the United Nations Convention on the Rights of the Child. We are working through this with studies, with working groups, with, we hope, recommendations, and with conferences and meetings. All the work that this meeting

is concerned with finds reflection within some of the work that we are also doing at the Council of Europe. How this work can be best spread using the network situation, between us in Strasbourg and you at the European level is, of course, important, but also it is important that the links are made within each country. Times have somewhat changed from the situation not very many years ago when there was a certain reserve on the part of many governments about the ideas of close co-operation with non-governmental organisations. We certainly are beginning to get much more positive reactions in the Council of Europe from governmental experts about recognising the need to work together with voluntary organisations, especially when people are involved in problems as serious as those concerning children.

The problems of the actual implementation of the United Nations Convention can be paralleled with the possibility of the right of individual appeal that we have in Strasbourg for the European Convention on Human Rights. The European Convention on Human Rights of course only refers to individual, political rights. It does not refer to social, economic and cultural rights. The Council of Europe has a separate instrument for social and economic rights, the European Social Charter, but the implementation of that also devolves to committees, and it also depends on government experts writing long reports. It does not mean that the individual citizen can come and complain that he or she has not got a job. Unemployed people cannot come and quote from the European Social Charter the article referring to the right to work. The United Nations Convention on the Rights of the Child has the great virtue that it encompasses all the rights, but then it immediately comes up against this problem that a lot of governments have, that they do not really see how to enable the effective exercise of social and economic rights on an individual basis. And all three of these instruments, whether the United Nations Convention, or the European Convention on Human Rights, or the European Social Charter, are to some extent building up considerable backlogs of work.

The work on street children forms part of the Childhood Policies Project. There is quite a specific piece of work being carried out by the Committee of Experts on Family Law and the preparation of a draft Convention on the exercise of the rights of children. There are some very important conceptual questions involved, which mean, in particular, clarifying the difference between protection and rights. It is easy not to be quite clear about this. Reference to child protection can sound like a request for money. It evokes all sorts of economic questions. It is a valid way of approaching the problems, but it may be that it does not go quite far enough in acknowledging the inherent dignity of the individual who has been put at risk. Child protection is linked to wanting to help other human beings in distress, to helping other people with problems. These are certainly impulses and feelings that nobody would want to underrate. However, the ideas included in the United Nations Convention on the Rights of the Child can help us to understand that as far as children are concerned, we are now going through a process which earlier we went through for women and for disabled people, where there has been a transition from protection-based action to action based on rights.

The study that we have carried out concerning street children was prepared in 1991-1992. The Director of the study was Professor Eugène Verhellen, who is Director of the Children's Rights Centre in Belgium. There was a Greek member in the team, Mrs Silia Vassiliki Nikolaidou, and there were 5 other members from Finland, Italy, the Slovak Republic and the

United Kingdom. This study group was set up to examine the contributory causes to children living rough, to identify the risks and moral and physical dangers to which these children are exposed, such as delinquency, drug addiction, drug trafficking and prostitution, and to report on current projects aimed at resolving this problem; to evaluate, if possible, their effectiveness, and to make recommendations as to any further social measures that might be taken. These terms of reference were given to the group by a committee of government experts. But the terms of reference did not, at that point, give any indication as to the human rights aspect. They were rather a social 'sort out the problem' proposal. What the study group did was to situate the problem in relation to the United Nations Convention on the Rights of the Child, as well as some relevant instruments of the Council of Europe. They examined the question on the basis of differentiating between a protection-oriented approach, a repression-oriented approach, and a human rights-oriented approach.

For the *protection-oriented approach*, the most common approach is that of child protection. Since the turn of the century, most western countries have developed systems to offer children protection. This is first of all a consequence of seeing children as being different from adults. They are incomplete and have to be treated separately. At the same time children are our future. Protecting children from potential social evils is imperative. Children are withdrawn from the labour market, they are obliged to attend school and delinquency or other dangerous situations for children are the object of judicial control. Street children have until now eluded these systems, and have become a new target group for child protection measures. They, therefore, require extra attention, and energy must be focused on the reintroduction of these children into the traditional socialising systems of school and the home. That is the concept around the protection-oriented approach.

Then the study goes on to describe the *repression-oriented approach*. This approach views street children first of all as a threat, or potential threat, to public order. They are individuals who make the street unsafe, repeatedly committing serious offenses and harassing people for no apparent reason. This means that society has to react severely and harshly to the individuals. This approach is becoming increasingly widespread in the criminology of juveniles. The fading belief in the effectiveness of permissive responses is used as an argument to return to classic repressive action. Only severe punishment can render the problem controllable. A central characteristic of the law and order approach is that the phenomena is individualized and is viewed only in terms of possible consequences for public order.

So, then we come on to the *human rights-oriented approach*. The focus of the previous perspectives is the individual child, yet setting children apart itself endangers their legal protection, for it implies they cannot participate fully in society. With the introduction of child protection systems, a number of legal guarantees were not considered necessary any more. Those guarantees have been marginalized because everybody was working in the best interests of the child. A more structural approach is to be found in the perspective of the legal protection of human rights, viewing street children as human beings whose fundamental rights have been violated. A comprehensive analysis of street children must acknowledge the social dynamics that deprive children of the right to control their own lives. Measures should also be taken to promote social, economic, cultural and educational

opportunities for children. Looking for causes is not central to this approach. Rather than developing policies which attempt to mitigate the conditions which are supposed to be at the basis of social problems such as street children, it promotes the wellbeing of all human beings, including children, a pro-active policy.

This starting point implies that street children should first of all be viewed as human beings who, because they are children, are pushed into a weaker position, with few, if any, human rights. In order to make the point, that is putting it in rather an extreme way. The more urgent the situation becomes in all our countries today, the more important it is for the Council of Europe to be focusing on this situation. I realise that in English when we are referring to basic human dignity, the use of the word 'dignity' is not always the most helpful and immediate. There is a slight problem with this word 'dignity'. It is much simpler if one refers to basic self-respect of human beings and that every individual human being is entitled to his or her self-respect is the concept that to me carries through when I hear these stories or see these situations of street children.

The study does have a whole section with an analysis of some of the basic denials of the Convention. There is a whole chapter on the risks and dangers, street children and their rights, where there is an analysis more or less article by article of the United Nations Convention related to the denial of rights to street children. For instance, *"Articles 33, 34 and 36 are of basic importance with regard to street children, due to the connection of the phenomenon with the use if illicit drugs, prostitution and exploitation. it is therefore evident that they need proper care for recovery and reintegration, Article 39."* So for those of you who are interested in working closely with the text of the Convention, it is helpful. I think it is very important for all of us to be able to do that actually.

If this Convention is really to get somewhere, we do need to get to know the Convention well ourselves in order to understand how it works. We need to get beyond certain difficulties with legal terminology, because the meaning of the Convention must be communicated to the children themselves. It is enormously important to get children to understand what the United Nations Convention is about. As they grow up, they will understand as adults that they also have rights as adults and they will also feel more interested in getting access to other legal instruments and understanding how the legal system wishes to shape their future and their society. Hopefully, they will learn to work with the legal system in such a way that the whole field of human rights, whether at the European or the international level, and whether for children or for adults is not just left to the lawyers, but becomes an integral part of our democratic reality.

The Rights of the Child in Europe
- In the European Union -

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The European Union does not have specific competence concerning family policy, so what is its role in this field? Heads of Government do, on the basis of a French Memorandum in 1986, concern themselves with this question, and in 1989 accepted the conclusions of the Social Affairs Ministers on the theme of family policies. These conclusions recognized that family policy is properly within the competence of national authorities and that even the idea of family policy is completely different in different countries of the European Union. Certain countries emphasize that the family is a private and personal matter and that family policy is, therefore, inappropriate. Despite this, countries such as the United Kingdom or Ireland, refer frequently to the importance of family values.

There is no European competence and a wide variety of approaches with regard to family policy. However, there are two types of actions that Ministers have endorsed. Firstly, the exchange of information on family policies and demographic developments. In the second place, analysis of the impact of different European policies on the family with reference to the free movement of people, and equality of treatment for men and women. A European observatory on national family policies has been set up which analyses policies affecting the family in different Member States. The exchange of information is also guaranteed by focusing on the effect of Community actions on family policy. For example, Community legislation on the free movement of people and the current changes in family structure have, together, provoked considerable discussion across Europe. Equality between men and women has long been a subject of European policy and European competence. The Council of Ministers have had it on their agenda for almost ten years. At a recent Council of Social Affairs Ministers, during the Belgian Presidency, a long-standing proposal for a European Directive on parental and family leave failed to be adopted, although, hopefully, it will eventually succeed. There is also a recommendation from the Council of Ministers on child care, the family and work, an important theme of family policy.

1993 was European Year of Older People and Solidarity between Generations. This provided an opportunity to examine intergenerational family solidarity and discover, through surveys undertaken during the year, that it was much more important than previously believed. A network of pilot

projects demonstrated how intergenerational family solidary works and how it can be encouraged.

Social protection is also within the domain of national governments, and according to the principle of subsidiarity, will continue to be largely a national responsibility. In 1992, two social protection Recommendations were adopted, which demonstrate its role with regard to families : one on the convergence of the aims and policies of social protection; the other on the minimum income. Among Member States, family allowances are either allocated according to the number of children, as in France, or according to financial means, to the poorest families, as in the United Kingdom and a number of other countries.

What is the contribution of the European Union to the International Year of the Family? This contribution is essentially in two parts. Firstly, it is to support, with the twelve Member States of the European Union, a number of activities to enable an exchange of ideas and information. Also, during the German Presidency in the second-half of 1994, a major conference will be organised by the German Government and the European Commission on the subject of the future of the family. This will include how Europeans view their families and how policies respond to this.

A large-scale public opinion survey has been undertaken by Eurobarometer in preparation for this conference. This Eurobarometer survey shows that for all Europeans, from whatever country, the family is of fundamental importance. They were asked to rank according to importance work, family, friends and acquaintances, leisure, politics, religion and living with a partner. In almost all cases, the family was considered the most important. For instance, in Portugal, family was placed first (99%), then work (97.3%), friends and acquaintances (94.1%), living with a partner (93.5%), leisure (88%), religion (67.9%), and politics (40.4%).

However, respondents also highlighted the diverse and changing nature of the family. In recent decades, the role and purpose of the family has changed : instead of a unit of production and reproduction, the family has become the affective focus for partners, and parents and children. This major change was apparent throughout the survey. If marriage is to remain a popular and varied institution, interpersonal relationships will be the deciding factor. As François de Singly wrote in his recent book "Sociology of the Contemporary Family" : "*the contemporary family is based on relationships*". For Europeans , emotional support is at the heart of the institution of marriage : there is no marriage without a couple, but there are couples without marriage. Practically all Europeans said that a marriage would not succeed without mutual respect and love. These two characteristics were crucial for a marriage.

Following on from this, a good sexual understanding, not living with in-laws, and not having too serious financial problems were also considered important ingredients to living successfully with a partner. Having children, and sharing the same ideas and interests were seen as less important. Sharing the same religious beliefs, coming from the same social background, and having the same level of education and training were rated lowest in importance. Younger people tended to place more emphasis on individual values (love, mutual respect, independence and a good sexual relationship). Older people were more likely to place collective values higher, such as

having children, coming from the same social background, having a similar level of education, and sharing the same religious beliefs.

On the other hand, and not surprisingly in the present economic circumstances, the enquiry also drew attention to anxiety about financial problems. Non-parents and current parents were most likely to be registered as unemployed and to have difficulty making ends meet. Current parents were also the group least satisfied with their lives. The traditional image of a married couple with children is now no longer the only possibility : cohabitation, divorce, single-parents, remarriage and the rights of homosexual couples present different options.

Here, there is a fairly clear-cut difference between the generations. The older generation, opposed to the idea of couples not marrying or different family structures, gives more important to the family as an economic and social unit. The younger generation emphasises the importance of allowing the expression of individuality. These generational differences are apparent in their dealings with children. The younger generation encourage the child to take responsibility, be tolerant, happy and creative. Older people want the child to be well behaved, obedient, to try hard and have religious beliefs. Younger parents prefer to share tasks between the father and mother, while older respondents tended to underline the importance of the mother in particular. In recognition of the importance of the role of fathers, the European Commission recently jointly organised with the Danish Presidency, an important conference on this subject. When asked about personal happiness the younger generation tended more often to consider that parents and children had equal rights, whereas older people were definitely more likely to put children first. So, for many Europeans today, it is not sufficient if their children are happy, if they are unhappy. Louis Roussel, in his book "The Uncertain Family" described this as *"the end of the reign of the child"*.

The family is certainly valued. However, is it also a shelter? More than half our sample said that they were prepared to have adult children living in their household, and to care for elderly parents. However, what will happen to these intentions if the economic crisis deteriorates and unemployment increases? Will it end in the breakdown of the family, as 40% of the Portuguese, and a fifth of the Irish and Greeks say? This Eurobarometer survey points out both the difference between the generations, but also the similarities between the views of Europeans in the twelve Member States of the European Union.

The Green Paper on European social policy asks if it would be a good idea to consider setting up a discussion forum where strategic problems of European society could be debated in an open and democratic way. This conference is an illustration of that ideal. It is to be hoped that the contributions and replies will assist in the development of current European thought.

Social Exclusion in Europe

Children from Minority Communities and indigenous populations : racism and xenophobia

Refugee Children

Children and Poverty

Social exclusion in Europe

Professor Dr Georgios TSIAKALOS is Dean of the Faculty of Education of the Aristotle University of Thessaloniki

The issue under discussion here is the phenomenon of social exclusion under unfavourable conditions in contemporary Europe. These are conditions of :

- declining tendency for solidarity with the poor and socially excluded;
- economic cuts in social welfare policies;
- increasing racism against anyone different and weak;
- failure of traditional ways in the practice of social policies.

At the same time, social exclusion will be considered in the light of the awareness many people share nowadays that the existence of socially excluded groups create social and political tendencies which undermine self-evident human values and democratic institutions established more than two hundred years ago.

Therefore, I will try to describe the phenomenon of social exclusion, and suggest the possible ways of social intervention against it.

I consider that the existence of even one excluded person in contemporary Europe, and the toleration of the phenomenon on the part of society, constitutes a social and political scandal which deserves careful consideration.

The concept and the phenomenon

The concept of social exclusion has recently become an issue of public discourse of European countries, and particularly Institutions in the European Union. It is usually associated the term "poverty". We usually refer to it as "social exclusion and poverty", but it sometimes replaces the term "poverty".

What is "social exclusion"?

Seeking the meaning of an abstract term we should not forget that it refers to real people and that it is the description of real people in life, which gives meaning to concepts.

Let us take a closer look at the socially excluded in Europe. Who are they? The term brings different associations to each one of us.

POVERTY-3 Programme : a personal experience of social exclusion

My picture of the socially excluded, people who need to be integrated, is that of a town familiar to me and not very different from other towns in Europe, in terms of the problem of social exclusion.

It is a polluted, poorly serviced area with a population of 60.000 inhabitants; most of them with a much lower average income than most people in other parts of the country. But even a poor area like this is not homogeneous in the distribution of wealth and poverty. There are parts which have relative potential and dynamics. But there are also enclaves of enormous poverty, where the word "hope" sounds strange and out of place. These are enclaves in a geographical and/or in a social sense.

Let me give you some examples :

There is an enclave surrounded by petrochemical industries. To the South, and to the West, within a distance of a few hundred meters there are several refineries. Within the same distance to the East, one of the greatest chemical factories in the country. To the North runs the highway. Those of its inhabitants who could abandon the place, have already done so. But there are many more who could not afford to leave it, and others - poor immigrants - who recently settled there. None of them believe the promises of any of the politicians for public housing outside the area, and nobody has any hope of achieving this goal himself/herself.

Increasing industrialization without planning has been the cause for spatial and consequent social exclusion and poverty.

Another place in our district is a damp, overcrowded, poorly serviced, highly polluted area, lying between two highways, a rubbish dump and a "river" with waste water. About 40% of the population are gypsies; the rest of the population consists of internal immigrants of the 1960s, and new immigrants from the former USSR who have been coming in during the last six years.

A slum! Nevertheless, whenever I am there, I am stunned at the sight of the most beautiful flowers one can see everywhere. Aesthetics is a human quality that bad conditions can destroy, but it lives on in this part of the world.

Several people in this place believe that their problems have originated from the "gypsies". Most of the gypsies think that their problems are the result of "Fitziria", a gypsy clan situated in the southern part of the area. Fitziria think that their problems come from "the travellers", who live in tents outside of the area. Finally, travellers say that their families have always come to this area - long before internal immigrants and resident gypsies settled here.

Mutual suspicion, prejudice and mistrust prevail in the area causing increased isolation and exclusion.

A place outside our area is another example. Many gypsies live there, although they do not like it. Many bombs and ammunition left by the German army after the Second World War have been found under the surface of the

earth. Five children were injured by an explosion in 1990. There is no school or water here. Life is very difficult under these conditions, and there is no hope for a better future for them and their children.

Single-parent families constitute ancther example of social exclusion in the area. People need not live in a geographical enclave in to be isolated, they need not live in a slum or belong to a minority group to slide into poverty. Heads or members of single-parent families often have the same fate.

A last example. Very often, a disabled or handicapped person in the family means social exclusion and poverty, not only for the person himself/herself, but for the whole family as well.

In conclusion, there are many poor and socially excluded people among the 60.000 inhabitants in this district. Almost all of them (more than 80%) belong to one of the following groups : single-parent families, gypsies, families with disabled or handicapped members, and people who have recently come from the former USSR. The majority of the people who belong to these groups are poor and/or socially excluded.

Socially excluded groups in Europe

Let us take a look now at the socially excluded in Europe. Who are they?

As I have already mentioned, the term creates different interpretations in each one of us. For some of us, it automatically means immigrants, as we ourselves were in the decades of the sixties and seventies in industrially developed countries. Today it may mean refugees, people who have abandoned areas of war and dictatorships, or refugees forced by economic reasons, illegal immigrants. Or it may mean native minorities, such as Sami in Norway and in Sweden; or Roma, Manuch, Sinti - the gypsies in general - in all European countries.

Another picture that may emerge in our minds is that of single-parent families, or families with disabled persons, or poor elderly people. Or it may be that of people with AIDS or other contagious diseases, considered dangerous by their fellow-men in everyday interactions. Very often it means long-term unemployed people, people lacking the qualifications to rejoin the labour force.

Whichever group we have in mind, we should not forget that the picture includes the in the family, and whichever hardships are experienced by adults, affect these children dramatically, and have significant consequences on their future.

Let us take, for example, school. The social exclusion of parents usually means :

- children with no equal opportunities to succeed at school, or worse,
- children without any opportunity to succeed at school.

These children, who cannot take full advantage of the public and social good of education, are the socially excluded of tomorrow.

From the example mentioned before, it becomes clear that "social exclusion" is a concept different from that of poverty. Social exclusion becomes an impediment to social and public goods such as education, public health system, participation in political life, etc., the lack of which, in turn, leads to economic indigence.

Thus the term "social exclusion" characterizes a situation as well as a process. In my opinion, either as a situation or as a process, it constitutes a social scandal of our time. Why is this so?

Apparently, "social exclusion" has not just emerged as a phenomenon in Europe; it has existed for years. It was originally established with utmost rigidity and has been a constant cause of misery for entire social classes. To be more specific, in older times the norm was to incorporate a person in the large group of the poor and deprived, and not in the relatively small group of the prosperous.

However, the existence of social exclusion today is scandalous, as the world of today is considerably different from that of older times in that it provides the means and possibilities for a reasonable way of life. It is the first time in the history of Europe that such an abundance of goods is produced, so no human being should be condemned to a life of want.

Nevertheless, millions of people do not participate in the richness of Europe. They do not participate :

- either because of their exclusion by law,
  or
- because their limited absorption of public and social goods does not allow their access to the necessary means for a reasonable living.

Let me describe in some detail what I mean when I talk about absorption of public and social goods.

Individuals usually secure a reasonable life for themselves and their families through their income, and their absorption of public goods. The amount of public wealth each member of the public absorbs is unequal. For example, children who have only attended compulsory education have absorbed a certain amount of the public goods which can be figured out precisely for each country. The children who continue and finish secondary school have absorbed a larger amount of the public goods. Lastly, the children who graduate from university and complete have absorbed a much larger amount of public goods.

This rationale applies to a number of situations. Whoever attends a theatre performance subsidized by the government, or visits a museum, takes advantage of a certain amount of the public wealth. Similarly, whoever makes use of the health system, in which large amounts of money is invested, also absorbs part of the public wealth.

It becomes apparent that the less of the common wealth a person uses up, the greater the risk of sliding into poverty. Absorption of public goods, then, becomes one of the surest investments for the future. Moreover, it is an investment which, for its largest part, is realized through public money.

The extent of public wealth absorption, however, is not random. Certain groups of people are more capable of absorbing common wealth than others. Thus, certain groups are excluded by law, ie there are situations where only the natives, and not the immigrants or the refugees have access to common wealth. Other groups are excluded indirectly, ie minority students who are obliged to attend school in an educational system insensitive to their needs, or perhaps an educational system of lower standards. Other groups' efforts to use common wealth are usually restricted because of certain factors operating dissuasively. Several examples have just been mentioned; if all of them were listed, we would have drawn a map of social exclusion in Europe.

It is worth noticing that neither the existence of social exclusion nor its perseverance is by any means accidental. It is mainly the result of :

- ideologies in which "exclusion" constitutes the most significant constituent;
- lack of political will for essential reformations;
- ignorance of "know-how".

The difficulty in confronting all these negative factors arises from the fact that those who are affected by social exclusion and have limited access to the common wealth, are also the ones who are excluded from the most important feature of social wealth : equal participation in political life. A real vicious circle : the inadequate absorption of the basic public goods results in unequal participation in political decision-making, which, in turn, blocks any attempt at reducing the negative factors leading to social exclusion. The latter results in inadequate absorption of common wealth and so on. This schematic description aims at demonstrating that whoever does not agree with the existence of social exclusion must intervene at any point of the circle.

Suggestions for overcoming social exclusion

The first thing we should keep in mind is that overcoming social exclusion is not a Utopia. It is an attainable goal. An effective struggle against social exclusion in Europe today is not only necessary, but it is also feasible. The confidence in the feasibility of a policy to overcome social exclusion derives from experience gained through practical work with "hard core" socially excluded - experience which I acquired through my participation in the European POVERTY-3 Programme and the HORIZON Initiative.

Such confidence may sound naive. Pessimistic thoughts, however, do not correspond to the experience gained through intervention projects. The latter may boast of significant success, thus justifying confidence, despite a number of failures.

One should not forget that in social policy only successful experiments counts, regardless of the thousands of failures that may have preceded. Even one success is more telling than many failures. One success is enough to prove that success is not unattainable. Conceiving a sound policy to overcome social exclusion involves knowledge of the elements of successful projects. Such knowledge may be gained from the many projects throughout Europe.

Secondly, to overcome social exclusion involves adequate knowledge and political will. We possess the necessary knowledge. I hope we have the political will as well. Knowledge and will have to be interpreted into a global, practical policy.

Strategies aiming at overcoming social exclusion include :

"Improvement of the economic situation" : It is considered the most promising strategy and involves a wide range of measures : from stimulating the economy, which is associated with better prospects for the social and economic integration of the marginalized, to the creation of jobs for people who are at risk.

"Improvement of professional opportunities" : It has been made possible through measures aiming directly at facilitating the socially excluded to better adapt to the requirements of the labour market.

"Rehabilitation" : It includes measures which help victims of social exclusion readjust to society.

"Encouragement of participation abilities" : It comprises activities intending to eliminate the effects of social exclusion and to assist the socially excluded to function independently in society.

"Direct financial assistance" : It includes financial subsidies to those in need (social aid, housing, etc.,) and, in a broadest sense, the guarantee of a minimum income for everyone.

"Improvement of living conditions" : It may be realized through the creation of social services, the purpose of which is the improvement of the life of marginalized groups. As part of global programmes, such measures help to achieve rehabilitation and participation.

These strategies have been put to the test in many European and national projects. We have gained extensive and valuable experience. A practical policy aiming at overcoming social exclusion may be achieved, if positive experiences, mainly gained through model projects, are financed and extended.

Thirdly, the goal of overcoming social exclusion is incompatible with prevailing views. We are in need of a radical change of ideas. Up to now, our efforts have been exclusively directed to the labour market (rehabilitation, improvement of job opportunities through specialized training, creation of new jobs, etc.,). These strategies fail to provide the "hard core" marginalized populations because these efforts ignore that :

a) for various reasons, some people cannot occupy a job, at least they cannot for as long as certain conditions are not met;

b) in some cases, job demand exceeds job vacancies for a long time.

These situations require different strategies with "solidarity" as their main element.

Above all, it is obvious that, under such conditions, a large part of the population can only hope for a better life if society guarantees it through a minimum income.

So far, this possibility has been ruled out from our thoughts and our policies, as the prevailing dogma dictates that people become "lazy and a burden" when they enjoy a guaranteed income for which they do not have to work.

A change of ideas on these matters could free social policy from bureaucratic obstacles and provide socially excluded groups with the hope they urgently need in their struggle for social integration.

A fourth point is that social engineering is not sufficient in our efforts to overcome social exclusion. We also need definite orientation to fundamental values. Social exclusion cannot be overcome by social engineering measures or by financial means alone. These may even make social exclusion increase, when the policy aiming at overcoming is not explicitly oriented to values meaningful to people. Too often, the necessity of a policy against social exclusion is checked by a warning of frightful developments, the threat marginalized people may constitute to society. Such warnings have negative effects : they create insecurity, insecurity brings fear, fear originates aggression, discrimination and exclusion. Social exclusion and any policy to fight it get, in this way, entangled in a vicious circle.

Thus social exclusion as a phenomenon constitutes a threat to the whole of Europe : getting used to it is synonymous to undermining important values of the European democracies and may well mean the beginning of a renewed fragmentation of Europe. After all, the recent enormous growth of racism is an example to the point.

People have to be convinced of the necessity to defend these democratic values in an active way.

Conclusion

The discussion of social exclusion in direct relation to children may sound absurd. It would be better if this general discussion were irrelevant to children, because then it would mean that the world had developed in such a way that social exclusion of adults does not affect children. Unfortunately this is not so. The reality is quite the opposite.

Furthermore, common experience indicates that social exclusion is the result of unequal opportunities in the access of basic public and social goods in a person's early years. Namely, children who have not had access to, and have not fully experienced self-evident children's rights.

In conclusion, the message I would like to communicate is that social exclusion and its confrontation demands an uncompromising fight for children's rights in all fields.

Social Exclusion in Europe

Children from Minority Communities and Indigenous Populations - Racism and Xenophobia -

Professor Paolo CHIOZZI is Professor of Anthropology and Urban Sociology at the University of Florence

Focusing on Europe, it may seem that we are mainly concerned with immigrant "minority communities", and that the problems related to "indigenous populations" are far beyond our present concern. Thus, to avoid ambiguity and to define the boundaries of our discussion, I shall premise a general conclusion : we should only use the expression *minority communities* (or, more simply, talk about *minorities*), being aware that in Europe we face three distinct categories :

1. Immigrant ethnic groups (recently settled in Europe or whose settlement here is in progress).

2. "Autochthonous" minority communities (ethnic groups that are historically settled in some "ethnic niche" within a national territory).

3. Gypsies : I suggest we consider gypsies as an anthropological category apart, for three reasons :

   i Some of them are often settled in a specific area long since, but cannot be compared to autochthonous minorities for "cultural" reasons, first of all for the lack of a specific territorial dimension.

   ii The migratory flux from Eastern European countries, especially from former Yugoslavia, includes a relevant number of people generically (and not always correctly) defined as "gypsies".

   iii For a number of reasons, they cannot be assimilated to Third World immigrants, nor to "traditional" gypsies.

The Convention on the Rights of the Child

Many studies have been made, and many suggestions for action have been given, with reference to discrimination towards ethnic minorities, but very little has been done so far in order to understand and to oppose discrimination against the children from those minority communities.

Nevertheless, my assumption is that, focusing on children - and consequently on discrimination against them - we may understand better the general dynamics of racism and xenophobia on the one hand, and on the other hand plan more effective actions. In fact, children from minorities seem to be usually "unperceived" or, if you prefer "invisible", and it is such a "social invisibility" that we must overcome. A possible way to do so is to analyze the circumstances of their lives, referring to the *Convention on the Rights of the Child* - that is comparing the national legislations and the attitudes expressed by the host society and/or the majority group with the Convention's recommendations.

Discrimination

First of all, we must clearly define the different types of discrimination against children from minorities that we have to deal with.

A first important distinction has to be drawn between formal and informal discriminations. What I want to say is that we can always find two kinds of discrimination : one (formal) based on the juridical system - and consequently on the legal status of the minority communities and of their children; another one (informal) expressed by the concrete behaviour of people belonging to the majority towards the minorities, that may be "racist" even in a country whose juridical system is based on tolerance and respect towards "others".

Apart from that, discrimination should be explored within different contexts: social, cultural, economic, political. But I want to underline that there is a danger in the usual trend to emphasize "poverty" as a major factor in producing exclusion/discrimination : economic status is, of course, important, but should not be considered apart from other issues. For example, some people may be, or become, poor because discriminated : the cause-effect relationship is not always necessarily "poverty-discrimination". We can thus argue that our aim is not just to remove the causes of poverty, rather those of discrimination - first of all the "cultural" causes of discrimination.

Racism and Xenophobia

Racism and xenophobia are most often forms of "informal" discrimination, as it is difficult today to find a European country whose juridical system legitimates them. Yet, many cases of inadequacy of the laws may perhaps be found if we refer to *children's status.* An interesting issue can be seen in the process of *informalisation* of specific rights (for example concerning education and health) : sometimes children are allowed access to school and/or to the national health service even if they are "clandestine" immigrants. This means that a process of social change is somehow put in action by the presence of socially embarrassing subjects. How much does that phenomenon "legitimate" xenophobic behaviours?

Apart from that, racism and xenophobia as diffused cultural patterns are quite common in all European countries, and children are the most exposed subjects. Probably a programme aiming at the rise of an anti-racist culture must include the development of a new "culture of childhood".

Lines for Action

Action planning supposes that we bear in mind the distinction between formal and informal types of discrimination. While at the formal level action will be clearly directed towards a reform of the laws and, more generally, of the social and political systems, any action at the informal level appears more complex.

From a general point of view we may suggest some priorities, yet not forgetting that the main issue is to be seen in the need of a "new culture", ie a global educational project.

I shall conclude with one statement, and two questions.

- Our attention must be focused on two levels of action : juridical and educational.

- Are there significant differences in racism/xenophobia against children from the different minorities? If yes, what do those differences mean for action programmes.

- Which is the role respectively of NGOs, National Governments, and European Institutions?

Workshop on Children from Minority Communities and Indigenous Populations - Racism and Xenophobia -

Conclusions

The participants agreed :

1. What is needed is an effective prevention of racism and xenophobia.

2. The priorities should be :

a. a global intercultural education, involving both children and adults, and not limited to individuals belonging to minority groups, but extended to those belonging to the 'majority';

b. an effective programme for the media that must avoid the use of stereotyping 'ethnic labels' when talking about minority persons or groups.

3. The preservation of cultural identity must be functional to the development of children, not to theoretical principles. The concept of "identity" has to be re-defined in a dynamic perspective.

4. There is a great need of training programmes for professionals working with children, eg teachers, ...

Recommendations

1. **Child welfare organisations** should implement their action at 'grassroots level', developing a more efficient network in order to share experiences. Local work is essential, but needs more support and collaboration by professionals.

2. **National governments** should :

a. establish special programmes within school education, child protection systems, health services, etc.;

b. pay attention to the statements of the "UN Convention on the Rights of the Child" in order to change national law and policy;

c. give more support to this aspect of the work of child welfare NGOs.

3. **European Institutions** :

a. Guidelines should be clear and concrete, with a constant monitoring of the situation, and of the media.

b. A common cultural and educational policy is urgently needed: a priority may be seen in support (also financial) of special training programmes.

A final observation

"Europe" as a political and cultural unity, means cross-cultural dynamics. We must avoid substituting the myth of a "European identity" to those of "national identifies".

Social Exclusion in Europe

Refugee Children

Wendy AYOTTE works on refugee issues at the Children's Legal Centre, UK

An EFCW Seminar on Unaccompanied Refugee Children was held in September 1993, in Brussels, and was attended by representatives of European NGOs (ECRE, International Social Service, Red Cross, Save the Children, etc.,), UNHCR's Senior Co-ordinator for Children, the Belgian government, the European Commission, the Council of Europe, and MEPs. It resulted in a list of recommendations which has subsequently been endorsed by the majority of the organisations represented. Proposals for follow-up lobbying were also distributed to those attending, and ideas for ongoing work remain to be implemented. The seminar report has now been published and distributed.

The European Union

1. **European Council** : The action plan approved by the Council in December 1993 in Brussels, gave priority to the following issues with respect to asylum in 1994 :

i. Harmonised application of the definition of "refugee" in line with Article 1A of the UN Convention on Refugees (Geneva Convention), and
ii. the establishment of minimum standards for asylum procedures.

Both of these areas of co-operation present opportunities for the inclusion of special criteria and procedures for the treatment of children's asylum seekers. We need to identify the relevant EU bodies working on these questions and take forward our recommendations.

2. **European Parliament** : A *Resolution on the general principles of a European refugee policy* was adopted by the Parliament in January 1994. It states that the European Parliament *"Urges Member States to harmonise their treatment of unaccompanied children with respect to both the procedures concerning refugee status and the provision of appropriated care."* (Para 28).

Two motions for resolutions have been presented by MEPs (Beazley, UK and Groner, Germany) on the situation of unaccompanied refugee children. These will not be debated before the elections, and we will attempt to have a new motion for a resolution presented as soon after the elections as possible.

3. **European Commission** : In its recent document (February 1994) entitled *Communication on Immigration and Asylum Policies*, the Commission has outlined proposals in three key areas, namely : action on migration pressure (in the countries of origin), action on controlling immigration, and action to strengthen policies for legal immigrants. A clear and important distinction is maintained between asylum seekers/refugees/people admitted for humanitarian reasons and those coming to the EU for other, mainly, economic reasons. In the area of asylum, the main areas identified were : the need for fair and efficient procedures, temporary protection (in the case of mass influxes such as from the former Yugoslavia) and co-operation/solidarity amongst Member States. This latter point relates to the great imbalance with respect to the numbers of asylum seekers entering different Member States.

With respect to unaccompanied children, the document makes two references :

i. ***Paragraph 89***
Criteria for fair and efficient procedures should *"give attention to the procedures that would apply with respect to particularly vulnerable groups, such as women and unaccompanied minors. These groups often require special treatment, taking into account the specific difficulty they may have in presenting their asylum case."*

ii. ***Paragraph 111***
"Many Member States have developed guidelines on the extent that children below a certain age should not be returned (to their country of origin) if there are no relatives or guardians that will take care of them upon return. Other Member States, however, do regularly repatriate children, even without such guarantees. This therefore offers another area where the establishment of minimum standards would be desirable."

UN High Commissioner for Refugees

As part of its focus on refugee children, which resulted in the appointment of a senior co-ordinator for refugee children, UNHCR has revised its original guidelines on refugee children (1988). These are now available in final form as *Refugee Children, Guidelines on Protection and Care*. The document is based in part on the principles of the UN Convention on the Rights of the Child. It will be useful to all individuals and agencies working with refugee children, both as a source of information and for the standards set for the treatment of refugee children. Specific references to the situation of unaccompanied children are contained within it.

Committee on the Rights of the Child

This is the Committee which examines the country reports from States Parties which have ratified the UN Convention on the Rights of the Child. The Committee is very aware of the question of refugee children, and has already made a statement to the effect that asylum seeking children have the right to be protected under the Convention. Where NGOs are preparing reports for the Committee they should include information on the treatment accorded refugee children in order to draw the Committee's attention to the ways in which individual States may not be respecting their rights or

conversely to good practice and policy where it exists. It is important to consider the implementation of all the relevant articles of the Convention, not merely Article 22 on Refugee Children.

Possible Future Work for the EFCW Committee on Refugee Children

The Committee has recognised the need for a co-ordination facility in order to carry forward its work. At the moment, none of the agencies involved appear able to provide the staffing required for this co-ordination. Work is therefore being carried out in a less consistent and comprehensive manner than is desirable. A committee member attended a recent international conference on unaccompanied refugee children in Italy, which was organised by American NGOs. One of the proposals from this conference was the establishment of an international clearing house on unaccompanied children which would gather and disseminate information on movements of children, special projects working with unaccompanied children, legal and policy developments, etc. Should this work be undertaken by an agency, then those working in the European context could greatly benefit, but this idea will take some time to realise.

The Refugee Committee has identified the following items for work in the next year :

1. Follow-up to the seminar, including disseminating the list of organisations supporting the recommendations and information on EU developments to seminar participants.

2. Producing a news sheet on unaccompanied children in Europe (this is unlikely at the present time since it has resource problems).

3. Organising a meeting of MEPs in Brussels in the autumn to brief them on the issue, and enlist their support to produce a resolution with detailed proposals from the Parliament.

4. Approach the next presidency of the EU to put children on the asylum agenda of the European Council. Follow-up on the Commission's document.

5. Hold a special even on unaccompanied refugee children at the next bi-annual meeting of ECRE (European Consultation on Refugees and Exiles) in the autumn of 1994.

6. Identification of areas of particular concern, such as family reunion within EC Member States and repatriation.

Summary of brief presentations

1. **UN Convention on the Rights of the Child** (Benny Marcel, Radda Barnen Sweden)

It is important to transform the UN Convention on the Rights of the Child into a living document. This can be done by identifying the articles with the real lived experiences of children so that the implications of the Convention can take on a concrete meaning and lead to implementation. Refugee children are entitled to all the rights contained within the Convention, not only the specific rights outlined in Article 22 on Refugee Children? Of particular importance are the key, or essential, articles of the Convention, namely : Article 2 on Discrimination (combating racism and xenophobia, discriminatory access to education and welfare benefits, etc.,); Article 3 on the Best Interests of the Child should form the basis of all decisions made; Article 12, which says that children's views are to be given due weight according to their age and maturity when any decisions affecting them are made. Other articles of note within the Convention are : Article 10 on Family Reunification outlines children's rights to be united with their families in the country of asylum; Article 20 refers to their rights, when deprived of their family environment, to substitute care which respects their ethnic, religious, cultural and linguistic background; Article 39 addresses the needs of refugee children for rehabilitation from the effects of violence and loss.

2. **Unaccompanied Children in Exile (UCE), a project for Children from Bosnia-Herzegovnia** (David Wright, Save the Children Fund, UK)

Work being undertaken by this agency is based in Zagreb, Croatia. It is endeavouring to trace all children separated from their families as a result of the war in Bosnia. There are estimated to be something in the region of 60.000 children in this situation spread over countries in Europe and the Middle East. Unaccompanied Children in Exile needs to establish partners to work with them in each of the countries where unaccompanied children are found in order that the tracing may be as thorough as possible. 'Unaccompanied' means that a child is without either of its parents.

Save the Children Fund (UK) would be working as the UCE operational partner in Serbia/Montenegro, and possibly supporting the work in Slovenia through its operational partner in that country. They are concerned to receive any information from organisations represented in the meeting concerning unaccompanied children in Greece. Members of the workshop were able to confirm their knowledge of children in this situation and that they were both from Bosnia and Serbia. Organisations agreed to send any additional information to David Wright at Save the Children Fund (UK).

Panel of Advisors : Providing Advocacy for Child Asylum Seekers (Wendy Ayotte, Children's Legal Centre, UK)

The refugee population within Europe is constantly shifting, depending on where in the world conflict and persecution results in the flight of people from their home countries. Unaccompanied children have sought asylum in Europe from a variety of countries and regions, to name a few : South East

Asia, the Middle East, Africa, the Indian Subcontinent, Latin America, Eastern Europe, and the former Soviet Union. As a result, the cultural and linguistic needs of unaccompanied children are also constantly changing. Any service which seeks to assist them must therefore be able to respond flexibly to each new population. Guidelines from UNHCR consistently refer to the need for representation for unaccompanied children, be that through traditional guardianship mechanisms or otherwise. This raises issues in most Western European countries, since asylum and child care law are distinct and efforts to inform asylum procedures with child care principles are often met with resistance. The right of a State to control the influx of persons is often seen as taking priority over the protection of children.

In the UK, we have just established a "Panel of Advisors for Unaccompanied Child Asylum Seekers" to which several children and young people have already been referred. It is a national project run by the Refugee Council, an NGO, and funded by central government as a result of extensive lobbying around the 1993 asylum legislation. This lobbying was undertaken by the Children's Legal Centre, Save the Children Fund (UK) and the Refugee Council.

The advisors, most of whom have a refugee background, work on a sessional (hourly basis) and are appointed for each child who claims asylum. Referrals come from immigration service, social service departments, refugee groups, or the young persons themselves. Advisors will assist the child with his/her asylum application, including finding a suitable lawyer, getting suitable care, help with emotional distress, getting schooling, etc. They are there to advise the child, to help him/her to be heard, to represent the child's views, and where necessary, advocate on their behalf with officials. Since this project is at its early stages, we cannot yet know how well it will succeed. However, I feel it has the potential to provide a superior service to locally based guardianship schemes existing in other European countries, where guardians are not necessarily selected because they have knowledge of asylum or child care law and where, because they are usually appointed at local level, standards cannot be easily monitored. The Advisors scheme has a built in monitoring and complaints procedure. One of the fundamental principles of the scheme is the implementation of Article 12 of the UN Convention.

Conclusions

1. The child's perspective should always be the focus.
2. The need to realize the importance of 'time' in a child's life. 'Two years' is a lot longer for a five year old than a 40 year old.
3. NGOs should contact each other to help out in specific cases or issues, and learn from each others experience.
4. Many refugees do not fall into the categories of the Geneva Convention. The definition of 'refugee' has become too narrow, too strict for today's reality.
5. European governments should implement the more efficient instruments drawn up by the Council of Europe.
6. EU countries should harmonize their policies, and share their responsibilities.

Social Exclusion in Europe

Children & Poverty

Brid RUDDY is Head of the European Unit,
Northern Ireland Council for Voluntary Action

The spectre of poverty is haunting many European countries at present. Within the broad mass of those suffering from poverty, however, there are some differentials. Women as a group are 50% more likely to be in poverty than men. Families with children suffer more from poverty than others. Given the very close links between women as main carers for children, it is clear that children suffer most of all from poverty. They, unlike adults, have no political power and no rights in civil society. They feel the effects of poverty and exclusion from birth at the most vulnerable stage of life. This has ongoing implications for their health, education and employment prospects, so that by the time they reach adulthood at eighteen, they are almost invariably excluded from society to greater or lesser degrees. This is reflected in many ways.

Those entering the criminal justice system are overwhelmingly poor and working-class children - those admitted to hospital with accidental injuries and general poor health are mostly poor children. The highest number of those leaving school without qualifications and unable to obtain 'professional' jobs are working-class. Even in adult life, those suffering from major life-threatening illnesses such as cancer and heart disease are poor people. The seeds of ill health and social exclusion are sown in childhood.

There are power implications for poor children. Their vocabulary is more restricted than middle class youngsters and, therefore, their access to public positions of power is lessened.

In spite of free education, the percentage of working-class children entering university has remained static since the Second World War. In Northern Ireland these problems of poverty are compounded by civil unrest in a vicious cycle of alienation, discrimination and exclusion perpetuated over generations of long-term unemployment. Young, poor people are actively involved in the conflict, both as combatants and as victims. Children have been killed in the current troubles. In the overwhelming number of cases all of these are working-class children. Northern Ireland has the highest rate of long-term prisoners (lifers) due to the political situation. Again, children suffer emotionally and financially through the loss of a parent.

UN Secretary, Perez de Culler, said in 1990 - *"The way a society treats its children reflects not only the quality of compassion and protective caring but also its sense of justice ... and its urge to enhance the human condition*

for coming generations". Europe needs to go forward to the future through eradicating ill treatment of its children because of poverty.

Does poverty exist

The social security system in the UK is designed to ensure that every member of society is protected against the loss of income whether through old age, disability, illness, unemployment or single parenthood. There are a complex range of inter-related benefits, some of which exist to compensate for loss of earnings, some in recognition of particular costs such as those associated with disability or children, and others designed to prevent anyone falling below a minimum prescribed income level, whether in or out of work. In particular, child benefit in a universal benefit is a universal benefit paid to parents for each child, and represents an important redistribution of money towards families with children, although there is no provision within the tax system for dependent children. In theory, the structures exist to ensure that every child should be provided with an adequate standard therefore, of living to ensure their proper development.

The UK Government is at pains to deny that poverty exists. In 1989, the then Secretary of State for Social Security, pronounced that economic successes meant that poverty no longer existed in our society.

With this denial goes a refusal to establish a 'minimum income standard' against which to assess people's income and the levels of state benefits. This approach has been adopted in a number of Western countries and both the House of Commons Social Security Select Committee and the Social Security Advisory Committee (SSAC), a body established to advise the government on social security policy have argued for the setting of such a standard.

Without it, there is no agreed definition of poverty in the UK. Two possible approaches are either to use the level of income provided through income support, the so-called safety net benefit for people unable to work and without any form of social insurance, or to define the poverty line as 50% of average income after housing costs, a measure widely used in many European countries. If one takes either of these measures, poverty has grown significantly in recent years and in 1988/89 there were between 11 and 12 million people, around a fifth of the population living in poverty, including just under a quarter of all children. This figure represents a two and a half fold increase in the past 10 years and reveals that children are disproportionately represented amongst the poor. A study commissioned by the Commission of the European Communities in 1989 estimated the incidence of poverty in the 12 Member States over the period 1957-1985, using the yardstick of 50% of average disposable income as the definition of poverty. They found that the largest increase in the incidence of poverty was in the UK where the percentage of children living in poverty had increased from 9% in 1980 to 18% in 1985. One in five of Europe's poor live in the UK. Poverty is unevenly distributed within the UK, with Northern Ireland consistently emerging as the poorest area.

Social security benefit levels

If parents are to provide adequately for their children, they need an income which is sufficient to purchase the basic daily necessities of life - food, heating, clothes, water. There is a body of evidence drawn from a considerable number of surveys that the experience of living on benefit means that many parents are unable to provide for their children a *"standard of living adequate for the child's physical, mental, spiritual, moral and social development"*. Hardship Britain, a report based on research carried out by Bradford University and Family Service Units, documents the difficult choices faced by claimants in budgeting their money :

> *"..... a majority of the claimants interviewed confirmed that the exercise of their budgeting discretion often extended no further than deciding what to do without this week".*

85 out of 91 people interviewed in Bradford stated that they regularly cut down on food or fuel, and over two-thirds of claimants in both surveys regularly ran out of money before the next payment was due.

All the available research points to a similar picture of families struggling to survive in the fact of immense difficulty and opposed by their inability to meet the most basic needs of their children. Many families are living in these circumstances for years, without hope of life improving - no job opportunities, for single parents lack of child care, meaning that even if jobs were available it would not be possible to take advantage of them.

Debt

The problem of debt has grown dramatically during the 1980s. In 1989 there were 28 million households with arrears compared with 1.3 million in 1981, and 530.000 households in multiple debt compared with 130.000 in 1981. In 1991, 75.540 homes were repossessed, an increase from 3480 in 1980. It is families on a low income with children who are among those most likely to fall into debt. Lone parents are particularly at risk with, on average 3 times the number of problems with debt than single people without children. The majority of debt that are incurred for families on low income arise not as a consequence of consumerism but rather the daily difficulties of stretching a limited income to pay for the basic necessities of life - rent, fuel, mortgages and loans for such items as clothing and household goods.

Once a debt exists poor families are often faced with cutting back on food and other daily living expenses in order to repay it. The impact on children is considerable. Not only are they likely to be denied some of the material necessities for an *"adequate standard of living"*, but are also likely to be living in an extremely stressful environment likely to be harmful to their development. A survey by the National Children's Home of 347 families on low incomes, identified that of those with debts, 71% of respondents were depressed, 40% felt that they could not cope, 21% felt that their relationship with their partner was being damaged. *"The experience of debt magnifies and reinforces the experience of poverty - the watchfulness and anxiety over money; the calculation, the moving around of limited funds".* Inevitably, stress experiences by parents is communicated to children and is detrimental to their welfare.

In many families where there is a disabled child the fact of the disability both increases the costs for the family and can reduce the likelihood of the parents being in paid employment. The results from the survey give start evidence that the benefits available were insufficient to meet the basic costs incurred by many poorer families. The families questioned described the additional costs associated with their child's disability as including fuel, clothing, travel, laundry and food. A third of parents felt that there were items they needed for their child which they were unable to afford.

16-17 year olds and income support

In 1988, the Government introduced legislation which withdrew entitlement to income support for most 16–17 year olds. In return, every young person was promised that if they were neither staying on at school or able to find employment, they would be guaranteed a place on a youth training scheme which would be accompanied by the payment of a training allowance. In exceptional circumstances, a severe hardship payment would be made to the young person. In practice, the withdrawal of benefit has had devastating consequences for substantial numbers of young people who are now denied the right to a standard of living adequate for their needs.

Many young people are unable to obtain youth training places. Youthaid, an organisation committed to promoting opportunities for young people, produce quarterly estimates of the numbers of young people not in work, education or training. In October 1992, they estimated that there are 124.000 young people in this situation, of whom three-quarters were unable to claim any benefits. The Department of Employment figures for last year indicate that these figures are an underestimate and the Labour Force Survey in the summer of 1992 found that an average of 195.000 16–17 year olds were without work, representing an unemployment rate of around 24%. Many young people, for example those with special needs, young pregnant women, those with emotional and behavioural difficulties, are not able to take advantage of schemes that are available because the schemes are not tailored to their particular circumstances. There is then considerable evidence that the guarantee offered by the Government has not been met for all young people requiring training. Meanwhile, these young people are left without an income of any kind and are plunged into poverty.

The UK Government take the view that young people should remain at home until such time as their income enables them to live independently. But the reality for many young people is that their parents cannot afford to keep them at home without any income on which to support them, many more have left home after suffering physical or sexual abuse, others have no home to go to having spent their childhood in care. There is a system of severe hardship payments available to a young person if he or she is unable to obtain a training place and has no income. However, these payments are discretionary, there are no clear guidelines as to who will be covered by them and severe hardship is not defined in the social security regulations. They are difficult to claim, requiring an application to three different offices, and there is no right of appeal when a claim is turned down.

Current Government policy for 16–17 year olds is clearly failing to achieve the standards required if they are to be provided with a standard of living adequate for their proper development. Many young people are without an income at all, and those that can obtain benefit, particularly if they are

living away from home, are receiving a weekly income that is so low that, in the words of one advice worker, *"Not one (young) person I have worked with living on ... income support has been able to avoid either falling into debt, turning to petty crime, or starving"*. The consistency and the scale of the evidence makes a powerful case for the need for changes to the legislation.

Lack of adequate child care

One of the major problems facing families trying to provide adequately for children is that they are trapped on to State benefits because there is no provision of publicly funded child care which would allow them to go back to work. A 1991 report estimates that up to one-half of under fives would be brought out of poverty if the provision of child care enable their mothers to work. There are now 1.3 million single parents bringing up over 2 million children, of whom 76% are living at, or below, the income support level. A survey commissioned by the DSS in 1991 found that 90% of single parents wanted to work and that 55% would do so immediately if they had child care support. Many of these single parents are below the age of 18, and thus are children themselves.

Publicly funded provision in the UK is very low compared with most other European countries with provision for under threes only at 2% compared with 20% in France and 48% in Belgium. Day nurseries provide for under 1% of under fives in England, 0.5% in Norther Ireland, and just 0.14% in Wales. In England, in 1989 there was a lower proportion of under fives in local authority day nurseries than in 1985. There has been an increase in the number of private nurseries and child-minders but the costs of these forms of child care are well beyond the reach of low paid workers. Northern Ireland has never had a system of publicly funded day-care, even though it has the highest percentage of under 18s in the UK.

A clear commitment on the part of governments to the provision of broad based publicly funded day-care would achieve a considerable advance in achieving an adequate standard of living for the necessary development of all children. To-date, such a commitment is lacking, without such support, many families are trapped on benefit with no available routes out of poverty.

Homeless families

Access to adequate housing is a prerequisite for the healthy development of a child. Without it, a child's right of access to education, health care, and social development are at risk of being seriously undermined. In the last decade in the UK, we have witnessed a clear government policy directive towards increasing home ownership coupled with a prohibition on local authorities developing and improving their provision of low cost rented accommodation. This has been reinforced by new legislation enabling local authority tenants to purchase their homes. During the 1980s the amount of new housing to rent being built by local authorities dropped by over 80% at a time when very considerable numbers of their properties were being sold to tenants and obviously depleting the stock available to authorities to rent. For those able to afford to buy their own homes, this legislation has been of considerable attraction. However, the implications for many low paid families and those where the parents are unemployed, the consequences

have been disastrous as the supply of low cost housing for rent has begun to disappear.

In June 1992, there were 11.080 homeless people in bed and breakfast accommodation, and a survey undertaken in London showed that 93% of the hotels used failed to meet minimum acceptable standards set by the London local authorities.

Bed and breakfast accommodation is totally inappropriate for children. A survey of mothers and children living in B&B in 1988 documents a depressing picture :

* Inadequate diet.
* Low birth weight babies.
* Children with higher than average rates of sickness and infections.
* Substantial numbers of children not enroled at school and those that were, displayed disproportionate levels of absenteeism, poor performance and low self esteem.
* High risks of accidents for children - falling in cramped rooms, falling down stairs, burns on unguarded heaters and gas rings.
* Totally inadequate access to play space or opportunities.

Homeless 16-17 year olds

Shelter, an organisation campaigning against homelessness, estimates that in 1992 there were up to 150.000 young people homeless in the UK, a figure which represents a significant increase in recent years. The growth in the problem of homelessness has arisen as a consequence of a number of benefit and legislative changes which have impacted on young people - the withdrawal of income support from 16-17 year olds, changes to the rules on payment of board and lodgings allowances for income support claimants which no longer make provision for the costs of meals and fuel, the effective exclusion from any rights to accommodation under the statutory provisions for homelessness, a diminishing supply of both public sector and privately rented accommodation. Home ownership, the only other route to accommodation, is out of the question for most young people. Many young people leave home because their parents cannot afford to keep them without any income, others have been physically or sexually abused at home, others are leaving care and have no homes to go to. Research undertaken in Wales in which 115 young homeless people were interviewed concludes that the interaction of the benefit changes with the reduction in supply of low cost accommodation has made a significant contribution to the growth in homelessness amongst young people.

Until benefit is restored to young people who are unable to find work or training, we will continue to see a growing population of young people on our streets denied the right to a basic minimum standard of living, denied the right to protection from abuse, exploitation, violence and drugs, and denied the basic civil liberties of privacy and effective participation in decisions that affect their lives.

Poverty and health

Children who live in poor housing conditions consistently suffer more ill health than others. Damp housing conditions are known to be a threat to children's health, both in childhood and later on in adult life, and are linked in particular to diseases of the respiratory system. A study of over 1100 children in Glasgow, Edinburgh and London found that those living in damp conditions are more likely to suffer respiratory problems such as wheezing, sore throats and runny noses, as well as headaches and fever. Household pests are also a major problem in many housing developments and infestations of, for example, cockroaches and mice can pose serious physical health problems for children.

Poor housing in which children's health is at risk cannot be consistent with a commitment to protecting the right to a standard of living adequate for their proper physical development. The combined impact of, on the one hand, poor quality of accommodation, and on the other, inadequate incomes on which to keep their homes warm is causing hardship to many children.

There is a well established link between material deprivation and ill health. In the UK as a whole, there has been a significant decline in infant mortality but the gap between rich and poor has grown wider. A recent analysis of all births within marriage and births jointly registered outside marriage show that 12 in 1000 babies in Social Class 5 died within the first year, compared with 6 in 1000 amongst babies in Social Class 1. Put differently, if the babies in families with unskilled occupations had the same risk of infant death as in the professional classes, 508 babies lives would have been saved in 1988-1990. The right to the highest possible standard of health for all children needs to be tackled by a fundamental commitment to challenging the material deprivation experienced by poorer children in our society. The House of Commons Health Committee recognized this in 1991 stating :

> *"Without reductions in the persistent social and geographical inequalities in health, a proportion of the population will remain vulnerable during pregnancy... Further significant improvements in relation to pregnancy outcome depend on improving social conditions such as alleviating poverty, poor housing, and inadequate diet."*

Poverty not only increases the risks of mortality, but also bring with it poorer health and high levels of disability. Hardship Britain found that over 70% of families interviewed by Family Service Units reported ill health or disability amongst their children, and of those interviewed in Bradford, over two-thirds of 91 households described long-term illness or disability. Amongst children, asthma, bronchitis, bed wetting and eczema were the most common complaints, but also evidence were kidney disease, depression, sickle cell disease, learning difficulties, growth problems and severe behavioural difficulties.

The problems of ill health, often triggered by an interaction of factors - low income, stress, poor housing and unemployment - were compounded by the inability to afford the costs incurred by the illness. Hardship Britain documents clearly the stress and anxiety created within families faced with

the need for extra heating, special diets, extra clothing or bedding for warmth. The very poverty which contributes to poor health in children in turn prohibits access to the resources needed to alleviate it.

Poor children, then, suffer disproportionately from ill health. Children in families on income support are entitled to free school meals, milk and vitamins. However, since 1988, children in other families with a low income have no such entitlement. Furthermore, in 1980 the government abolished the nutritional standards required in school meals which ensured that school age children were offered at least one nutritional meal a day. There has, therefore, been a decline both in the numbers of children entitled to free meals and a reduction in the required quality of meals provided. The public service union, NUPE, estimate that in 1980, 40% of a child's daily nutritional requirements were met at school compared with 15% in 1993. Further, between 1979 and 1990, the number of children eating a school lunch fell from 4.9 million to 2.8 million, a drop of 27%. These changes have contributed to the difficulties for many poor children in achieving an adequate diet necessary for their proper development.

Access to clean water

Access to a clean water supply has been a commodity largely taken for granted in the UK in the latter part of this century for almost the whole population. We have seen the virtual elimination of most of the diseases associated with lack of sanitation and contaminated water. However, since 1988 when the water suppliers were privatised, there has been a substantial increase in the number of households who have had their water supply disconnected for non-payment. In 1992, 21.000 households were disconnected, representing a 177% increase over the previous year. Water prices over the past 5 years have increased over 50% with inadequate compensatory increases allowed in State benefits. Many families are faced with disconnection because they simply cannot afford to pay for water. The increases in charges have been accompanied by a more rigorous policy of debt recovery on the part of the water companies and the combined effect has been a worrying growth in families without any access to a water supply of any sort. Once water is disconnected, a family has no access to water because there are no public water supplies available. They become entirely dependent on the goodwill of neighbours.

One of the growing concerns arising from these developments has been the accompanying rise in hepatitis and dysentery spreading in cities where the highest rates of disconnection are occurring. Since 1988, there has been a threefold increase in their incidence. Children are now being placed at risk of illnesses which had been largely eradicated. An official at Birmingham City Council, where public health officials have established a direct link between cuts in water supplies and outbreaks of dysentery and hepatitis, says :

> *"Outbreaks of hepatitis A occur when sewage cannot be washed away, when people cannot wash their hands after going to the toilet and especially when there are children in the home. Disconnecting the water supply takes us right back to the 19th century."*

Furthermore, the risk does not rest purely with those families who experience disconnections. In the densely populated areas of inner cities, the diseases, once established, can spread within the local community. It is ironic that following the World Summit for Children in 1990, when the goal of safe water and sanitation for all children by the end of the century was agreed, the UK should be moving away from successes in this field and witnessing a re-emergence of children denied that right.

Poverty and racism

It is clear that thee are certain structural factors present in the UK, which operate to discriminate against certain groups of children as a result of their race or status or disability, and which result in those children suffering disproportionately from the consequences of poverty.

Ethnic origin and poverty are closely linked, and children growing up in minority ethnic families are less likely than white children to achieve a standard of living adequate to their development. There are a number of key strands which link ethnic origin and poverty :

* Immigration policy which denies access to social security and housing for a growing number of people from abroad.
* Growing unemployment which has disproportionately hit those areas where most people from ethnic minority communities live.
* The social security system operates in both directly and indirectly discriminatory ways. Its reliance on contributions for many benefits excludes those with interrupted work patterns amongst whom people from minority ethnic groups are heavily represented, the residence tests exclude many people from minority ethnic groups, and there is a growing body of evidence that administrative procedures within the social security system can serve to exclude black claimants from benefits to which they are entitled.
* Widespread, persistent racism which continues to pervade society and hinders access to jobs, housing and education.

There are direct analogies in Northern Ireland where institutional aspects of sectarianism are exacerbated by differential levels of poverty affecting Catholic, Protestants and traveller children. Unemployment levels for Catholic males are 2 1/2 times higher than for others, and traveller children and families suffer exclusion from all government services.

Opportunities to play in a safe environment

All children have a right to play and leisure and it is widely acknowledged that recreational activity plays an important part in children's development. However, for some children, the combined deprivation of low income, poor housing and a barren and neglected environment means that the opportunities for safe play are heavily restricted. Their standard of living is insufficient to provide the necessary opportunities for social development that play offers.

Families dependent on State benefits identify as one of their most insistent concerns the inability to provide the opportunities for their children that they feel are necessary to their development and wellbeing. The responsibilities of parenthood go well beyond the basic provision of food and

shelter. Parents also expect to provide toys, leisure activities, outings, participation in out-of-school activities, and holidays. But for many families on benefit and on low wages, these are beyond their reach. In consequence, children in poor families have more restricted lives than their peers and are excluded from participating in many of the activities widely accepted as intrinsic to social development in the Europe of the 1990s.

Children's self confidence and self esteem is inevitably heavily influenced by the value they see placed on them by society. If society places value on material possessions, holidays, trips to parks, zoos, cinemas, theatres, concerts, fairs and leisure centres, and then excludes some children from participation by denying them a level of income that makes it possible, those children will grow up with a sense of their own value being diminished. These barriers to participation have two serious implications :

* They can lead to children being marginalised and isolated from the mainstream culture of our society.
* They isolate many children from a level of social interaction with their peers which is vital to their social development and education.

Many families living in poverty are also often living in environments which lack play facilities or even safe play areas. Parents, therefore, are faced with the choice of restricting children in the home - itself often overcrowded - or letting them play unsupervised in the locality with all the associated risks. In other words, the same children who lack the resources to pay for any social activity are also often deprived of opportunities for safe play in their immediate environment. They are thus doubly deprived.

Children in deprived environments are far more likely to suffer accidents than children in more materially advantaged areas. For example, Scotland has the second worst accident rate in Europe and it is highest of all in large housing estates. In 1988, 3.9% of boys and 2.1% of girls living in the Easterhouse estate in Glasgow were injured so seriously that they were detained in hospital. This was double the rate of Glasgow as a whole. A study reported in the British Medical Journal in 1990 confirms the link between accidents and social deprivation, revealing that child deaths from head injuries were 16 times higher in deprived areas and that children from Social Class 5 were 6 times as likely to die of burns than children from Social Class 1. Northern Ireland has the highest rate of child road accident fatalities within the UK.

The reasons for these disparities are rooted in poverty. In deprived areas, housing is less safe. It is more likely to be overcrowded. Overcrowding increases the risk of children being within reach of fires, chip pans, knives and dangerous substances such as bleach. Poor parents are less likely to be able to afford fire guards, stair gates or playpens. There are more likely to be abandoned flats around which themselves are hazardous. There are no gardens offering opportunities for safe play. Children play on the streets where they are at risk from traffic and dogs. In one estate in Glasgow there is a child run over every 4 days. Many deprived areas tend to suffer a lack of facilities - no playgrounds, limited play schemes, and a lack of community buildings. There also tends to be a higher level of violence in areas of high unemployment with more fights and muggings.

The right to play can only be exercised if the environment facilitates it. Children are capable of creating much of their own recreational activity,

but they need space which is free from danger both inside and outside the home. The right to play is hampered for many poor children by the paucity of their environment.

A survey published in 1992, documents the lives of a number of families living on State benefits. What emerges is the sense of powerlessness, guilt, stigma and loss of self esteem experienced by the members of those families. Parents felt keenly that lack of money was preventing them from fulfilling their role as parents adequately.

The opportunity to participate in society

As central to the material provision of housing, clothing, and an adequate diet for children's wellbeing is the right to participate in the social activities accepted without our society as part of the daily routine of childhood – those activities which contribute to the right of citizenship. Fulfilment of the right of every child to a standard of living for *"mental, spiritual, moral and social development"* requires that children are provided, through their families, with sufficient resources to feel themselves to be part of society. Citizenship is about membership of a community, and this is understood in terms of participation in that community. Ruth Lister, in her pamphlet on citizenship and the poor, argues that participation is an expression both of the formal political, legal and social rights and duties of citizenship and the social and economic conditions under which they are exercised. Poor children are increasingly denied full citizenship through their exclusion from social rights – lack of environmental play space, lack of adequate health care, the lack of adequate diet, denial of access to benefits, a growing problem of homelessness and begging, the relationship between deprivation and reception into public care. Lister observes that :

> *"the growing reliance on parental contributions in schools will widen the gap between facilities for children in poorer and better off areas again eroding the floor of common citizenship that the State education system should be providing."*

A recent report by the Archbishop of Canterbury comments that :

> *"poverty is not just about shortage of money. It is about rights and relationships, about how people are treated and how they regard themselves, about powerlessness, exclusion and loss of dignity."*

The physical exclusion from participation enforced on poor children as a consequence of their poverty, is compounded by a social exclusion created by social attitudes of condemnation and blame. We need to change this to ensure that children have a right to participate as members of society. Government policy needs to be rooted in a fundamental commitment to the promotion of that right, and Europe must play its part in facilitating this through the abolition of child poverty in all countries.

Workshop on Children and Poverty

Recommendations

1. **Child welfare organisations** must put participation and empowerment of local communities, together with a clear understanding of need, at the centre of all their activities.

2. **National Governments** should :

* review the adequacy of their social security systems to meet new forms of family needs, and ensure a decent standard of living for children;
* establish broad based day care services based on a holistic approach to children's needs, partnership arrangements and effective co-ordination of resources.

3. The **European Union** should :

* carry out research on child poverty throughout Europe, which takes into account children's own views on their needs;
* ensure that the new Social Exclusion Programme has a clear focus on children, with the intention of collecting comprehensive data on poverty, and setting targets to overcome social exclusion;
* the revision of the Maastricht Treaty in 1996 should mean that children can be included as an area of competency for the EU in the future.

Protection of Children

Sexual Abuse and Exploitation of Children

Sale, Trafficking and Abduction of Children

Child Care Workers in a Mobile Society
- Openings for Paedophiles? -

Protection of Children

Within the Convention on the Rights of the Child - A Eulogy or a Euphemism? -

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Introduction

From the time when the newborn child was considered as a digestive tube that only needed filling up, until today when we are amazed by the tremendous capacities of the neonate, the history of childhood has gone through major landmarks. The invention of childhood brought forward the visibility of children and the consideration of children as a distinct social category.

The recent World Summit on Children, followed by the Convention on the Rights of the Child, identified a major ideological shift towards childhood; children are not only identified as objects of protection but also a subject of special rights. The Convention has been the result not only of the gradual and growing awareness of the personality of the child, of the importance and value of the child's subsequent development, but also its vulnerability and need for protection.

This last point is raising a series of questions among countries and peoples who tend to regard the Convention as a dangerous utopia, a euphemism or even a hypocrisy and as another occasion of exploitation of the weak by the powerful; of children used as tools in the hands of adults and of world leaders. After all, are we not seeing such things happening in other spheres of our lives? Are we not observing ecological catastrophes all over the world, but primarily in the developing regions, under the "good" intentions of multinational companies representing the world's "big powers"? Are we not observing the pollution of our sea waters by tankers whose owners are advocates of ecological issues? Or is the Convention a passing fashion that will have the same fate as other social movements which have faded away?

The most powerful identity of the Convention is that it is a legal instrument in the strict sense of the term, requiring (under its monitoring procedures) that each country reports at certain intervals on the national measures adopted, giving effect to the principles set out in the Convention.

The protection of children

The three main areas of children's rights upon which the Convention focuses, are the issues of provision, protection and participation, the intertwining of which touches on all spheres of a child's life. Each one cannot be studied, or practised, in isolation of the other, while their order of priority may depend on political, social, group or individual circumstances. For example, the Convention, through its focus on children's participation in society, provides for their freedom of expression "unless this would violate the rights of others". We do know, though, that in many cultures, children and youth are not allowed to speak in front of adults. Silence is encouraged at home, while freedom of expression is encouraged in school. Unless public awareness changes cultural beliefs and human attitudes, children may be caught in such conflicts needing "protection" from the mere implementation of the Convention's principle on "participation".

Another example may be drawn from the practice of abused children being heard in court proceedings. Children are required to testify in court on, ie their sexual abuse, under the principle that their voice should be heard and taken into account. In practice, though, court proceedings serve as a second victimization experience for children who are targets of humiliation and intimidation by lawyers whose sole target is the acquittal of the perpetrator and not the interests of the child. Procedures involving children's representation through the role of an ombudsman – as in the Scandinavian countries – should be also encouraged in connection with children's representation through professionals testifying on their behalf. The issue of children's "participation" – a major point of the Convention – needs delicate and thoughtful interpretations to avoid its development into situations of children's victimization and exploitation for the interests of adults and of the system itself.

In spite of the interlocking influences of the three spheres of the Convention, this position paper – for reasons of time and economy – will focus on the issue of protection. A first point under consideration is the differentiation between care and protection.

In this paper, the word "care" will be used in its generic meaning, addressing the welfare of children, while the term "protection" will include all aspects of offering a child an "umbrella" for the fulfilment of its potential and for protecting it when faced with situations threatening its own best interests.

The very significant portion of the Convention pertaining to issues of protection may be divided into two parts : a) those rights of children violated by parents, family, guardians and/or the child's "significant others" charged with the child's wellbeing in a direct way; and b) those rights violated by non-family social "carers", such as various societal institutions and alternative care schemes, groups of people, and lastly, the State itself in its "parenting role".

The above points are made more explicit in the following table :

Rights of Children : Three levels		
I.	Parent – Child :	Primary responsibility
II.	Parent – State :	State respects primary responsibility and assists parents in their duties
III.	Child – State :	State to protect child when parents fail

The wellbeing of children should be a target, regardless of categorization. Basic conditions of primary prevention should be extended to all families. Such provisions may range from environmental conditions (clean water, sanitation), to basic health provisions (immunization, family planning), and socioeconomic conditions (ie employment). Thus, the State as a caring "parent" to all its citizens sees that the basic requirements for survival and for a minimum quality of life are extended to all citizens. But furthermore, the State has the obligation to support parents in their caring duties by allocating suitable resources such as day care, child and family allowances, recreation and leisure activities, etc. The role of the State becomes more directly "parental" in the case of parental failure caused by acts of commission or omission or incapacity due to illness, imprisonment, or parental loss. The parenting role of the State is in itself a debatable issue. Can the State really parent? The State, even under optimal ideological and political conditions, with its emphasis on fairness, equality and inevitable uniformity, cannot get emotionally involved; it cannot offer love and affection. Is the Ministry of Health and Welfare, or the Ministry of Justice or Education, expected to ensure that every child is loved and, therefore, justify a basic clause of the Convention? The State, therefore, delegates parenting to subsidiaries such as adoptive parents, foster parents, and residential care staff who, in their turn, may have all the weaknesses of natural parents, often "negatively enriched" by lack of or poor attachment with children, plus a professionalization of "parenting" practices. The qualitative difference between parent-crafting and parenting is very evident in such situations.

Protection from intra-familial violation of children's rights

The evolution of the term "child abuse and neglect" has, since 1962, followed a parallel evolution of children's position in society, as well as families wellbeing. The 1962 classic "battered child syndrome" was followed by the term "non-accidental injury", to be succeeded by the more general term "child abuse and neglect", while now we refer to issues of "families at risk" and "family ecology".

The growth of public awareness, the development of diagnostic and therapeutic skills and the expansion of research in the field, have brought to light aspects of abuse which were long hidden, ie sexual abuse and failure to thrive. There are, though, still other forms of maltreatment very difficult to diagnose, measure and treat : such as emotional abuse. Although it is not hard to talk to a teacher or a psychologist about it, it is very difficult to

prove to a court acts involving terrorizing, ignoring, rejecting, isolating, criticizing or corrupting.

A very delicate point in the interpretation of Article 19 of the Convention is the balance of children's rights vs parents' rights. One still observes considerable societal ambivalence about the right of the child to be protected from acts performed by his/her own parents. The question which arises is whether the child's right to be protected is more important than the family's right to privacy. Under the law, when a child is harmed, the child's right to protection supersedes the family's right to privacy. A second point of debate is what is "significant harm" and how it is interpreted psychologically, socially, but primarily legally. The debate over family privacy vs child protection continues to be raised, an indication that confusion and disagreement exists in the minds of citizens, professionals, and decision-makers. This debate may consider the family as a battleground with losers and winners, with victims and victimizers which may result in promoting systems that "save" children and "punish" parents. Such attitudes may be promoted by the State itself and by professionals acting on its behalf, serving the needs of both; in being "good" rescuers of "good" children suffering in the hands of their "bad" parents. There is a great need for the promotion of research knowledge on high-risk factors and child abuse prediction and prevention, so that abuse will be seen as a psychosocial phenomenon and the abusive incidents as parents' "cry for help" within a society that is not a "good enough" parent to its citizens. Social policy measures should be targeted at all three levels of prevention: primary, secondary and tertiary.

Under the Article's provision for "support for the child and for those who have the care of the child", two interpretations should be provided for :

a) support in the form of psychological, social, educational and legal help to perpetrators;
   and
b) support for professionals who are in caring positions.

Article 20 encompasses the largest sphere of child protection in the contemporary Anglo-Saxon use of the term as "out-of-home care of children". The article covers both aspects of out-of-home protection, temporary and permanent. Nevertheless, special emphasis should be given to the development of alternative child protection schemes to cover the needs of children whose families go through crises. Contemporary trends in residential care in the industrialized world depict a picture of a steady decrease in the number of children admitted into residential care (especially among the under-fives) and a parallel increase of the need for fostering and for alternative care, especially for crisis shelters. Additional issues that emerge are the changing residential task (from long-term to crisis care), problems in maintaining children's family links and difficulties with adjustment after leaving care.

Special attention has to be given to the development of foster care. There is a tendency to see fostering as a panacea, idealizing the strengths of the family as an institution while underestimating the real problems of abused and neglected children : low self esteem as a result of emotional abuse, lack of trust towards adults, deep psychic pain, learning problems and resulting school failure, behaviour problems, conduct disorders, etc. A lot of these

children are too ruined to form person-to-person attachments and may be a lot happier in a small residential home.

Research into foster care offers contradictory results, especially when it is compared with other child protection schemes such as residential care and adoption. It may offer children a sense of permanency and security, or the opposite, when the ambiguous nature of fostering relationships seems to have a qualitative impact on the foster child's sense of identity.

Fostering should be regarded only as one of several child protection schemes needing a holistic approach that would include natural parents, foster parents, natural and foster siblings as well as the professional network with all its uniqueness. Selection, training and continuous support for foster families should be an integral part of this approach.

An upcoming problem in the child protection field has to do with HIV children. Regardless of all the efforts of public awareness as to the spreading of the disease, negative public attitudes - including those of professionals - permeate to such an extent as to hinder the provision of a substitute family environment for children and especially for babies born to HIV infested mothers. Protection offered to such children is too medicalized, too impersonal and often abusive and neglectful to children. A major issue facing the field of child protection and children as consumers of the system is the duality of harm : from the maltreatment itself and from the professional responses to it. Child protection bears the heavy "burden" of continuously changing needs within a reality of low budgets, inadequate staffing, low level of training of professionals and few opportunities for further training to meet the new needs and social trends. In many countries, for example, drug addition among children and young adolescents and HIV among children are new problems needing well trained professionals with support and supervision on an ongoing basis.

The fate of children in child protection is directly linked with the fate of children's carers. Professional burnout in child protection is a plague. Dealing with family violence, parental inadequacy and danger touches the deepest core of our very selves. The lack of material and human resources in child protection leads to high staff turnover; absenteeism; physical and emotional exhaustion expressed as diminishing positive feelings, sympathy and respect for clients; cynicism and negativism; and a tendency to be inflexible and rigid in thinking, which often leads to a closed mind about change and innovation. Child protection needs to move away from "band-aid" solutions and turn into a therapeutic experience for children. Furthermore, it needs to turn into an empowerment experience for staff offering possibilities for staff care, training and development without which child protection programmes are doomed to fail.

The promotion of child protection through the realization of the Convention on the Rights of the Child may be a good opportunity to reach out to equally vulnerable adults, to professionals themselves in "especially difficult circumstances". It would be quite promising to see children changing the quality of life of the adults who care for them, thus reaching out to human rights through children's rights.

Adoption has traditionally been promoted as a measure to cover needs of orphans and legally abandoned children, especially for babies and children of preschool age. As the picture of social pathology changes, there is a

parallel need for the evolution of adoption to cover the needs of abused and neglected children, children growing up in situations of extreme risk, and for older children. A good number of children abandoned in institutions should be freed for adoption under "necessary safeguards", as stated in Article 21 of the Convention. There needs to be a balance between the needs, rights and interests of children, the needs of children's families, and the needs of the State "as a parent" to all citizens under the safeguards of State authorities with highly trained and supervised multidisciplinary teams who would have to decide "for the child's best interests". Private adoption agencies, although named as "non-profit", are not appropriate to deal objectively with such child oriented issues and should be discouraged.

Attention should be given to the interpretation of Article 21 (b), "recognizing that intercountry adoption may be considered as an alternative means of child's care, if the child cannot be placed in foster or an adoptive family or cannot in any suitable manner be cared for in the child's country of origin". Countries with strong national identity, whose priority is not the children's best interests but the country's "image" to the outside world, may prefer to keep children in institutions until adulthood rather than encouraging intercountry adoption when adoption measures within the country cannot meet the needs. In that case, children are "exploited" for the country's "best interests" while their own interests are being neglected. The wording "in any suitable manner" should be an alternative to a suitable adoption or fostering situation, and not to life in an institution.

Child protection of handicapped children focuses primarily on two aspects: a) on the right to special care, education and training for those children living with their own families; and b) on the right for a quality of life once the child has been abandoned by its own family or had to be removed because of active or passive danger within the family. There is a growing awareness of the extent of abuse and neglect among handicapped children in two directions : children having become handicapped from physical abuse and handicapped children being abused and neglected – not only by their families but also in institutions and other situations implying "care". Handicapped children should enjoy equal rights to child protection just as do all healthy children, plus additional rights addressing their disability. They should be equally considered for fostering and for adoption.

Protection from extra-familial violation of children's rights

Family violence is considered as a microcosm of societal violence and as a consequence of the lack of care of the State for its citizens. Research indicates that a number of factors that are associated with child abuse, wife abuse and family violence are the following : the intergenerational cycle of violence; adverse socioeconomic conditions; social stress in families such as unemployment, financial problems, pregnancy (in the case of wife abuse) and single parenthood (in the case of child abuse); and social isolation. These factors have been described as associations, not causes, and themselves carry different weight.

The above conditions affecting the family as a unit may affect children's lives as extra-familial violations. Adverse socioeconomic conditions or extreme poverty in a given society, in combination with intra-familial social stress, may lead to a series of problems for children such as child labour,

sexual exploitation, sale, trafficking or abduction or the use of children for drug trafficking.

Traditional child protection has little to offer in combating such vast problems pertaining primarily to developing countries. Can selective fostering solve the problem of child prostitution in Thailand, or can therapeutic residential care address the needs of 8 year old girls weaving carpets in Iran? Here, we have to deal with political issues and with the unequal distribution of power - not between parents and their children, or between men and women, but between affluent and poor nations, between the developed and the developing world.

Secondary and tertiary prevention can have little impact on vast numbers which constitute phenomena rather than cases. In that sense, the Convention may only sound like a charity gesture towards children whose fate - for generations perhaps - will depend more on international power games and much less on a few articles of the Convention.

The administration of juvenile justice (Article 40) contains issues of child protection closely linked with matters of provision and participation. A point to be further emphasized is the consideration not only of the child as a symptom of family pathology, but of family pathology as intertwined with the incompetency of the State to care for and "to parent" its citizens. Viewing the child as a deviant in need of punishment and transformation, serves as a societal euphemism and as society's resistance to look within to its own needs for re-evaluation and for transformation.

There is an urgent need for promoting awareness among the public that children that violate laws that the adult world has established, are children whose basic needs for love, affection, care, self esteem and security, have not been met. It is because of this permeating public attitude to view children caught with the law as perspective criminals, that child protection schemes such as adoption, fostering and therapeutic residential care have not been adequately extended in the domain of justice. The dialogue between health, welfare, justice and education, can bring a change for the sake of children caught in problems with the law.

Child protection as an issue of general child care, although clearly defined in a series of articles of the Convention, nevertheless permeates the entire text, reflecting the parallel picture in everyday practice. Child protection from disease and abuse is directly linked with public health and a generally healthy citizenry. The impairment of an individual's capacity for basic trust, autonomy, empathy, and self-discipline as a result of abuse and neglect, is most probably the more subtle corrosive for national development. It has been said that "freedom is merely the opportunity for self-discipline". An argument can be framed that many forms of child maltreatment undermine an individual's capacity for a socially acceptable form of autonomy. A country's investment in the empowerment of parents and in the enhancement of parenting, is an investment in good citizenship.

The Convention on the Rights of the Child was adopted at a time of unique world syzygy, a time in history when a fortuitous conjunction of events occurs. The big powers' efforts on disarmament, the revolutionary political changes in Eastern Europe transforming the world's political geography, and the European Community are but a few factors contributing to this.

In the meantime, a number of sociological trends may prove positive for the welfare of children worldwide. Demographic trends in the industrialized world are leading to smaller families and to the reduction in the number of unwanted children. The promotion of family planning and the legalization of abortion act as a major preventive measures to child maltreatment. Meanwhile, the delay in the age of childbearing may be linked with parental maturity and higher education. Lastly, fewer children would have to share the welfare budget, so there will be more money allocated per child. The promotion of biotechnology leads to earlier detection of birth defects in utero and fewer handicapped children who may burden their families and the system, while the physician oversupply is already resulting to more physicians engaged in aspects of social medicine.

The women's movement has brought to light children's issues, while men are encouraged to undertake a child caring role. Meanwhile, issues of parenting are promoted through the mass media which may result in attitudinal changes : as, for example, questioning the necessity of physical punishment. The improvement of services, linked with technological advancements, is leading to better monitoring systems in the welfare field and to easier access to at-risk populations.

On the other hand, other sociological trends - such as the changing patterns of family life, the expansion of AIDS, poverty (especially female poverty), the enlargement of population groups such as the elderly and the possibility of governments to re-evaluate their priorities - may negatively affect the welfare system and the lives of millions of children.

The adoption of the Convention on the Rights of the Child by each respective country should consider the national, cultural and ethnic uniqueness in the light of demographic, social and economic changes. The Convention is now only a piece of paper, but it may be turned into a worldwide humanistic revolution. But if not, the Convention, a eulogy for the world's children, will be just another form of euphemism and exploitation of children caught in the world's political games.

Protection of Children

Sexual Abuse and Exploitation of Children

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Why am I starting with an attempt to define sexual abuse and sexual exploitation? Because, in my opinion, there are dangers in not making sure what we are talking about and taking a consensus for granted :

1. Developing support and treatment programmes for children depend on what we know about the situation they experience.

2. Our knowledge about their situation depends on how open we are to look at all aspects of the problem.

3. Our viewpoint depends on how comprehensive and free of ideological limitations our definitions are.

4. Our definitions lead to developing services for children which should be appropriate and effective.

My organization, the German Society for the Protection of Children, adopted as a basis the term "sexual exploitation".

Daddy's love hurts her

Sabine is the apple of daddy's eye. She is loved by him. But more than she can bear. Because daddy sexually abuses his daughter.

He does not want to hurt her – he loves her. And she is so small. He has difficulties separating affection and desire. Daddy knows he is not allowed to do this. That is why Sabine has to keep quiet about it. With silent screams for help she tries to attract attention: she is shy, frightened, has no appetite, sleeps badly. And she seems so passive – not like other children her age.

Sabine is one of 80.000 victims yearly who suffer from sexual abuse. Her mother does not know anything about it. Or does not want to know anything about it. She closes her eyes – just like the neighbours, friends, or relatives.

But Sabine needs help – Sabine's daddy needs help. Your help. And our help.

According to David Finkelhor (1988) we distinguished different forms of sexual exploitation :

1. Parent - Child sexual involvement (in this context we have a very broad definition of 'parent', crucial for us is the social function of parenting, not the biological).

2. Sexual involvement with other care-giving individuals (this includes members of the extended family, older siblings, as well as neighbours, babysitters, teachers, trainers, etc.,).

3. Sexual involvement with strangers (this often includes exhibitionism or rape).

4. Child prostitution (this can be distinguished in in-country child prostitution : children purchased from parents or relatives for sexual purposes; runaways who prostitute themselves for economic exigency; prostitution related to drug addiction; or sex tourism. Both can be related to trafficking).

5. Child pornography (this should be carefully distinguished along several categories : age of the child involved, closeness to the perpetrator, period of time, form of depiction, etc.,).

His secret with Uncle Rolf keeps him silent

Peter has changed so much. So quiet and not so interested as before. Nobody has an explanation for this change. Nobody - except Uncle Rolf. And he is not going to tell. The secret which is between them, must stay a secret. Because Peter is being sexually abused by his uncle. And whenever Peter has to go to Uncle Rolf he has to choke. He knows that Uncle Rolf does something forbidden to him. But he cannot even tell his mother.

Peter is one of many. There are an estimated number of 80.000 cases of children sexually abused per year. Peter needs help - Uncle Rolf needs help. Your Help. And our help.

The term *"sexual exploitation"* has two components : **exploitative**, which, for us, refers to the generational dimension, and **sexual**, which involves cultural and ethical issues.

We believe that all forms of sexual relationships between adults and children are **exploitative** : adults do have more physical and psychological power than children, they are in a *superior position.* Sexualisation of an adult - child relationship is a *one-sided misuse of this position of power.* Beside this structural aspect, adults reinforce this imbalance through a denial of acknowledgement of the child's rights and personality and a mani-

festation of its dependence. The child needs for its development into an independent and strong personality the confirmation of its perceptions and experiences through adults. The hindrance of this development is, a priori, a forced cheating on the part of the adult, a disadvantage for the child. The child does not have the ability to achieve this development against the adults, or apart from them, it is trapped in this kind of relationship. This is even more true in a socially close relationship which is characterized by the simultaneity of dependence and trust on the part of the child. Enormous pressure - as well by social norms as by individual threats add to this inescapable situation for children.

Uncle Paul's toffees are sweet,
his love is bitter

Moni is a good little girl. Above all, Uncle Paul finds this. Because Moni does what he wants - and keeps quiet. Nobody is allowed to find out that he sexually abuses Moni. He feels guilty. But whenever he comes to visit, and the chance presents itself, he cannot stop himself. As a child, he never learnt the difference between affection and sexuality. Because he, too, was sexually abused as a child.

That is why sexual abuse often continues through the generations. Help us to break this pattern. Moni needs help - Uncle Paul needs help. Your help. And our help.

We also believe that these contacts do have a second component :

Sexuality : Sexuality - its norms and values - is based on the given culture and influenced by historical developments. I assume that there are main differences even throughout European countries, so we have to be aware of this and take it into account when we talk about sexual exploitation. Just to state that sexual contacts between children and adults are morally wrong is not enough in times where norms are changing rapidly. Again, our organization adopted a concept from David Finkelhor to explain why it is ethically wrong to engage children in sexual relationships.

He keeps his eyes open all night,
because others close theirs

Sven cannot sleep at night. He is terrified. He is afraid of his neighbour, who abuses him sexually. The fear of the threat to do something awful to Sven should he ever tell anyone. The fear that this situation will continue forever. The people around him close their eyes. They are helpless. That is why suspicions are quickly shoved aside. They do not want to see the truth. The great silence helps the neighbour, but not Sven.

Sexual abuse of children exists. In all layers of society. From strangers, fathers, mothers, friends, and relatives. There are a lot of boys and girls like Sven. Sven needs help. Sven's neighbour needs help. Your help. And our help.

The legitimacy of sexual activities is judged by the free and informed consent of both partners. For true consent, two conditions must prevail : a person must know what it is that he or she is consenting to, and must have true freedom to say Yes or No.

Children lack the information necessary to make an "informed" consent, especially if they are unaware of the social meanings of sexuality – the rules and regulations surrounding sexuality, the criteria for the acceptability of a sexual partner, the course such a relationship will take, the reaction of other people to their experience, the consequences it will have for them in the future.

Children do not have the freedom to say Yes or No, in a legal and psychological sense. Some explanations are given above, showing that children have a hard time to say "no" to adults, who control all kinds of resources that are essential to them.

Daddy was her first man

Marion has a lot of experience for her eleven years. Sexual experience. Her father has abused her sexually for several years. When Marion is older, she might not be capable of having a normal relationship with a man. The bitter feeling to have been abused will accompany her all her life. Possibly she will have depressions or other symptoms of disorders. The danger is that Marion will be sexually abused later in her life, too.

There are a lot of boys and girls like Marion. Marion needs help – Marion's daddy needs help. Your help. And our help.

Keeping all these – very briefly touched – aspects in mind, we can start to think how we can best help and support children in a variety of difficult circumstances.

I do not think that we – as child welfare organisations – should solely focus on legal protection, we should try to develop services for children which are effective in overcoming their experience of humiliation, degradation and loss of trust and do respect their rights and their enormous abilities to develop and to live. And, I want to add, our main task is not the prosecution of perpetrators.

Essentially for establishing such services is a social climate which is truly informed about the problem of sexual exploitation and supportive in overcoming it.

He stars in movies that he will never be allowed to see

Tom is a good looking little boy. His mother thinks this, his father and all his relatives think this. And especially particular friends of the family. Because Tom has something special.

He is photogenic and not at all shy. Tom is the ideal casting for a pornographic film. A film in which adults and children have "sexual encounters". Tom is sexually abused in front of a camera. The videos, in which he stars, are sold to "special" clients. And these like to pass them on to other interested people. So, Tom's body is famous. Not his face – that is not important.

Boys and girls like Tom are too many. They all have a right to a normal childhood. And the right to discover sexuality years later, by themselves. Tom needs help. Your help. And our help.

If you want to help - break your silence

Workshop on Child Sexual Abuse and Sexual Exploitation

Conclusions

1. Sexual abuse and exploitation must be understood within a broad framework, recognising the links between abuse, violent relationships, exploitative relationships, sexualized imagery of children and pornography.
2. Children are vulnerable to sexual exploitation, often because they lack appropriate information. Access to appropriate sex education is a vital part of building towards better protection for children.
3. There is at times an illogicality in the attitudes held towards children within our societies, condoning physical punishment while seeking to offer common standards of protection. Children should be entitled to common standards of physical integrity under the law as a right.

Recommendations

For Child Welfare Organisations

1. The provision of more treatment facilities for children who have been abused, and for those who abuse must become a priority for service development.
2. Non-governmental and statutory agencies must consider the need for research into the outcomes for children of cases where a legal prosecution of an alleged abuser has been dropped, despite strong suspicion of abuse occurring. Schemes such as the Dutch Confidential Doctor Scheme should be evaluated and replicated where appropriate. Preventive strategies that build on the strengths of families must be given a higher priority for funding and service development.

For National Governments and European Institutions

They must seek to achieve changes in attitudes towards children and behaviour, through both public education and changes in legislation.

For EFCW

The EFCW proposals on child pornography and sexual exploitation should be progressed and a cross European strategy on tackling child pornography developed and implemented.

Protection of Children

Sale, trafficking and abduction of Children

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The United Nations Commission on Human Rights investigated the subject of the sale of children in 1992 and 1993 (reports submitted by Mr Vitit Muntarbhorn, 12 January 1992 and 1993. The main points from these reports will be recapitulated illustrating them with examples applicable to the situation in Europe. At the present time, children who are sold, victims of trafficking and other abuses come, most often, from the new independent States of Central and Eastern Europe. Nevertheless, the "western" countries are implicated insofar as they are perpetrators of these abuses (sexual tourism, "purchase" of children for adoption, etc.,).

Reports of the Commission on Human Rights emphasize that the sale of children, child prostitution and child pornography represent a world-wide problem which requires a world-wide and multi-disciplinary response. These problems touch developed countries as well as developing countries. The activities are often hidden and therefore difficult to outline, and much more threatening because they take on transnational dimensions.

Among the numerous reasons that could be cited to explain the scope of these occurrences are :

- **Poverty** : Socioeconomic difficulties may result in parents selling their children, even among disadvantaged groups in developed countries. All the same, the traffic in children can never be justified by poverty.

- **The disintegration of the family**, exasipated by rural-urban migrations, and migration from one country to another. Children left unsupervised while parents work can become involved in prostitution or become street children.

- **Materialism, consumerism and the neglect of spiritual values** : The rights of the child can become violated, because the child is seen simply as a factor of production.

- **Sexual discrimination** can lead to girls becoming prostitutes.

- **The lack of legislative protection** allows middlemen and criminal organisations to join together in the trafficking of children.

- **Insufficient preventive work** to educate and help families.

The sale of children

Definition : The surrender of a child by one party (including the biological parents, guardian or an institution) to another party, for whatever reason, against financial remuneration or any other form of payment or indemnity.

Children can be sold in various ways :

a) Adoption with payment.
b) Exploitation of children at work.
c) Organ transplant.
d) Other ways (abduction, child soldiers).

a) Adoption with payment

The development of transnational adoptions, resulting from the scarcity of children, available for adoption in developed countries, has led to an increase in the sale of children. The countries of reception are for the most part European (France, Italy, Germany, Sweden, Great Britain, Norway, Denmark, etc.,).

Adoption is often undertaken by surreptitious and illegal means. It is not unknown that adoptive parents have to pay large sums of money to have an adoption arranged.

In Rumania and Albania, transnational adoption was temporarily halted in 1991 because of illegal activities (the sale of children, adoption of children who were not orphans and not legally abandoned; the sale of children even before birth, excessive numbers of adoptions : 10.000 in 1991-1992 for Rumania; allegations of trafficking in Albanian children as organ donors, sexual exploitation and exploitation in employment, including domestic work. From April 1992, the Rumanian Adoption Committee channelled all adoption requests and only agreed to transnational adoption when there were no Rumanian adoptive parents available.

In Russia, entrepreneurs trafficking in children to the USA have received between 10.000 and 50.000 US$ per child.

In Poland, young single mothers have been forced to abandon their children and give them up for adoption.

Protective measures have also been taken in western countries :

- The Convention on the Protection of Children and Cooperation in the matter of International Adoption was opened for signatures in May 1993 (signed immediately by Rumania among other countries!). This Convention envisages the establishment of a central authority which would control adoptions.

- Countries such as France, Italy, the Netherlands and Sweden have adopted stricter laws concerning transnational adoption.

- In Bosnia, international adoptions are forbidden for the duration of the war according to international norms. This is to prevent hasty decisions being made, and the illegal adoption of abandoned children.

It is recognized that it is better for children to remain with their families rather than to be sent elsewhere, even during a war.

b) Exploitation of Children at Work

During the 1980s ILO (International Labour Organisation) estimated that 88 million children between the ages of 10 and 14 years, throughout the world, were working. The main cause of this fact is extreme poverty in certain countries. There is a direct link between children working, child prostitution and child pornography.

In 1992, BIT undertook a study of child labour in the hotel, catering and tourist industries. Sexual exploitation was investigated in as much as it represents an aspect of the work undertaken by children in these industries, where children become a "consumer product".

In Portugal, the shoe industry employs a certain number of children, and in Spain children are used as drug traffickers.

In Central and Eastern Europe, the new phenomenon of street children gives scope for an increase in illegal activities. In these newly independent States the profit motive directs many activities. Some children are involved in criminal activities, even as contract killers.

c) Organ Transplant

The transplantation of organs from living donors is forbidden under the Convention on the Rights of the Child. The sale of organs from children is due to a lack of organs available, but also as a result of poverty. It is difficult to investigate this subject as governments continue to deny that it takes place.

- In 1991 WHO (World Health Organisation) developed a series of statements which forbid the removal of organs from a living minor. A working group at the Council of Europe is also examining this question.

- In Rumania and ex-Yugoslavia a law forbids the transplantation of organs from living children.

It should also be noted that the Convention does not explicitly deal with the question of the sale of the foetus, host mothers, and related matters, although it does refer to the need to protect the child "before and after his/her birth".

- At the present time there is no international Convention regulating organ transplant.

d) Other ways children are sold

Child soldiers

In 1991, there were more than 200.000 children acting as soldiers. Often they had been kidnapped and forced to become soldiers. There are young people under 18 years of age involved in the conflict in Northern Ireland, and in the conflict between Afghanistan and the Union of the Soviet Republics. Article 38 of the Convention states that persons under 15 years

should not be recruited into the armed forces. This age limit must be raised to 18.

In Bosnia children have been captured and forced to become soldiers to survive.

We must be more vigilant with regard to international legislation concerning human rights.

Abduction
The abduction of children is often linked with adoption, prostitution and organ transplants.

In Berlin, a gang was arrested for kidnapping children and offering them for sale in a catalogue (some children had been abducted from a refugee centre in Germany, others were from Rumania).

Action

Recommendations must be directed to :

(1) Child protection Agencies
(2) National Governments
(3) European Institutions.

The United Nations Action Programme against the sale of children, child prostitution and child pornography has suggested the following measures:

- Heavy penalties against the persons involved.
- Special attention to be paid to the abduction or sale of children for organ transplant.
- National bureaux for tracing children.
- New measures to ensure that international adoption does not involve the sale of children.
- International adoptions to be only arranged by recognised agencies.
- The development of alternatives to international adoption.

Workshop on Sale, Trafficking and Abduction of Children

Recommendations

Among the various forms of sale of children (sale related to adoption, child labour, sexual exploitation, and abduction for enrolment of children in the army or for prostitution) attention should be given to the issue of ***organ transplants from living children.*** According to the Human Rights Commission (UN) report (by V Muntterdhorn 1992-3) there is evidence of sale of children for organ transplants, organised by criminal groups, but there are no statistics or official data on the phenomena.

Child Welfare Organisations

Should organise campaigns :

* to collect data about organ transplants from living children;
* to involve medical professionals and their organisations;
* to invite journalists to explore the issue in a balanced way;
* to lobby, through governments, for a legal instrument on transplantation;
* to lobby international organisations to draft and adopt an International Convention on organ transplantation.

(This recommendation should go to the IFCW meeting in Madras, to invite the members of IFCW to explore the issue).

National Governments

Regarding all forms of sale in general, the establishment of an *ombudsperson* should be promoted in every country. He/she would be in charge of the protection of children against sale by controlling international adoption, child abuse exploitation, and the abduction of children.

European/International Institutions

These issues are interwoven and have a worldwide dimension. Communication should be encouraged among the international organisations with concerted actions, especially in the prevention of the sale of children.

Protection of Children

Child Care Workers in a Mobile Society - Openings for Paedophiles? -

Jim CURRIE is Regional Director of NSPCC (Northern Ireland)

"Organised abuse involves a number of abusers, a number of children, and often encompasses different forms of abuse - it involves to a greater or lesser extent an element of organisation". (Working Together under the Children Act 1989).

Child Sexual Abuse Networks comprise abusers in planned social relationships with other abusers for the purpose of gaining access to children for personal sexual gratification - children are often aware of the involvement of other children.

There is a lack of research into how abuse is organised and more research is needed into the distinctive characteristics of organised abuse.

What we do know, however, is that there is exploitation of children involving systematic sexual, physical and emotional abuse by groups of abusers who manipulate, coerce and use threats to control children for personal gratification or gain.

There is emerging evidence of the mobility of "Paedophile Rings" in Europe which are highly organised and well resourced.

A recent article in the United Kingdom Newspaper "The Independent" gave evidence that Polish children coming to Western Europe were being targeted by Paedophile Rings and drawn into pornography and prostitution. Some were placed in households which further increased their vulnerability.

In Northern Ireland, the NSPCC and other Statutory organisations, ie education and social services, have been expressing concern about *the mobility of children in Europe and America and the vulnerability of these children to organised abuse situations.*

Each year, thousands of Northern Ireland children are placed in Europe and America on compensatory holiday experience. This initiative was largely in response to the civil conflict which existed in inner city areas in the early '70s, and provided children with the opportunity to experience other cultures.

There is evidence that some children have been abused, but suspicions that others have been put in vulnerable situations for good intentions.

Because of NSPCC's experience with Pax Christi Holland in organising and planning compensatory holiday experiences, an Inter-Agency Group was set up to review the situation and make recommendations. A Code of Good Practice for organisations involved in compensatory holiday experiences was agreed which includes the *vetting of host parents, organisations, and the supervision of children on holiday projects.*

Organised abuse rings are exactly as they are described - organised! Well planned; resourceful; opportunistic.

With new opportunities for employment across Europe, one can only imagine the opportunities which this will present for the abuse of vulnerable children.

Let me tell you a story - a true story as recalled by a colleague.

Recently, a Scheduled I Sex Offender on a probation order disappeared from his last known address in Northern Ireland. The Probation Officer notified social services and a check was made with the Department of Social Security for help in tracing the man - the checks drew blanks! It was decided to try the South of Ireland, which was more successful, and similar checks located the man.

What was his address for the purpose of signing for State Security? None other than the local police station - both the police and social services were unaware of the risk this man posed for children.

This would be a rare success! It is the minority of cases of child sexual abuse which result in criminal prosecution, and an even smaller number result in convictions. The majority of sex offenders can simply walk away from the community and disappear.

How much more easier this will be with the new found "freedoms" granted by the removal of boundaries and borders in the ever developing European Community.

I can tell you of some difficulties with *"known abusers"*, but some allegations do not even reach the ears of police or social services. Over the years, one has heard of "organisations" transferring alleged perpetration to another post or another country, rather than face adverse publicity. The "problem" is then shifted into someone else's backyard.

The scales of justice are undoubtedly weighted in favour of the alleged perpetrator - so how do we achieve an equitable balance between the needs to protect children "at risk" in our society and the *civil* liberties of the abuser?

In Northern Ireland, the issue has been placed firmly on the Child Protection Agenda with the report into the *case of Martin Houston - a Scheduled I Sex Offender*, who, while working in a voluntary organisation, went on to abuse further children.

The Report "An Abuse of Trust", compiled by the Social Services Inspectorate, has 54 recommendations for good practice.

One recommendation is the retention of information on persons who have *not been* convicted of the abuse of children, but who are considered by child protection and other relevant professions to have perpetrated abuse.

I have no doubt that this proposal will be the subject of heated discussion:

* Who will maintain a Register?
* Who decides who will go on it?
* What criteria will be used to place a name on the Register?
* Who maintains contact with the alleged perpetrator to re-assess the risk to children, and thus allow for a name to be removed?
* What are the means of Appeal?
* Who can have access to the Register?

All very debatable questions, but *no easy answers*. I have no doubt that in Northern Ireland, there is a growing ground-swell of opinion that if we can agree stringent safeguards and allocate resources and thereby ensure the efficient upkeep of the Register, a lot of professionals would be in favour.

The report also raised a number of recruitment, selection and management issues which establish the need to develop procedural and operational processes to protect children.

The lessons learnt were applicable across the Governmental and Non-Governmental Agencies working with children, ie :

* the vetting of staff and volunteers;
* the need for agencies to communicate information and concerns;
* clear policies in order to protect children.

The investigation, however, recognised that the lack of resources in smaller non-governmental organisations may restrict the development of good policies and practice, unless guidance material was made available. The authors of the report found the need for a comprehensive guide for organisations working with children.

Over the years, I have witnessed irreparable damage to children caused by sexual abuse, and time and again because the child's testimony cannot be corroborated, there is no protection and the alleged offender is free to re-offend.

Carefully maintained information systems on known or suspected Paedophiles is only part of the answer. To go to the heart of the matter, we need dramatic changes which will reduce the trauma the system imposes on already traumatised children in order for them to be heard, and ensure a better chance of communication. In child sexual abuse cases, the systems need to be more *"friendly"* towards children - more *"child orientated"*.

If this is an accurate description of the situation we are "struggling" with in the United Kingdom, how much more difficult will it be for Europe - in respect of the mobility of Paedophiles, or organised sex abuse rings?

We could go on further, but to fundamentally redress the balance in favour of the child we require further legislative reform allied to a package of multi-disciplinary measures.

Responding to organised abuse effectively requires all professionals and agencies to share their skills and understanding. It is not only important that *we* learn to work together, but that steps are taken so that governments co-operate in an effective and efficient way.

It is my experience that the particular demands posed by *organised abuse* do not, in the main, create new difficulties for the inter-agency systems, but rather exaggerate its existing weaknesses.

Workshop on Child Care Workers in a Mobile Society - Openings for Paedophiles? -

Recommendations

1. Child Welfare Organisations

a. Proper vetting arrangements should be established in each child welfare organisation in respect of staff and volunteers who work directly with children.

b. All child welfare organisations should set up training programmes, which include :

- Selection and recruitment of staff and volunteers.
- Vetting procedures.
- Monitoring and supervision of staff and volunteers.

c. All organisations should recognise that child sexual abuse happens in all European States and, therefore, should establish procedures whereby children should be listened to in respect of any allegations they may make against an alleged adult perpetrator.

2. National Government

a. Vetting procedures should be established in each Member State whereby all Governments could access information in respect of staff working directly with children.

b. Governments should recognise that child sexual abuse happens across all Member States, and work towards agreeing a common preventive strategy for the early identification of known or potential abusers.

3. European Institutions

The Council of Europe should adopt a Standard Code of Practice for every Government / Non-Governmental organisations who employ or use adults for working directly with children.

Families in Society

Stepfamilies and Child Maintenance

Reconciliation of Work and Family Life

Family Needs in Rural Areas

Families in Society

Allies or enemies of children's rights?

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Introduction

The mention of the word *family* inevitably introduces a *conflict of priorities and loyalties, and is associated with passionately held views.* It certainly rarely guarantees a *consensus of views*, and that was true even before the high-profile debate about policy which British politicians have recently mounted.

My original title specified *Families and Society.* I have taken my brief to be a "critical" one, and have rejected the automatic assumption that the relationship between families and the wider society is unproblematic, along with the subsequently implied notion that the welfare of children derives as an unassailable outcome of that relationship.

The central question I want to pose, and I hope make an attempt at answering, is this : **Can we construct social policies which address both the rights of children as well as the needs of their families for support?** or are such serious conflicts involved that we cannot consider children's rights or their welfare to be compatible with the interests of families and the wider society?

I want to provide firstly a brief and fairly theoretical overview of the nature of the relationship between families and children, and then between families and the wider society.

Secondly, I want to describe a piece of current UK child care legislation, and look at some research into its implementation, and see if there are any implications here for the welfare and rights of children in the European context, and what, if any, lessons can be learned about the impact of various approaches.

State, family and child : an overview

As we know, the focus is on "The Effects of Mobility; the Rights of the Child in Europe", so I want to start by providing a sketch of the way in which *family* policy interrelates with *child care* policy, and in particular remind ourselves that in some periods the family is seen as a self-evidently *good thing* in relation to children; in other periods and places it may be seen as *far from that.*

McGowan, writing in the USA in 1983, argued that many of the issues that plague the child welfare field today reflect the unresolved tensions and debates of the past, and that it is possible to identify a list of what amounts to *perennial tensions in child care*. You will see from this list, that in almost all of them the family occupies alternately "heroic" or "anti-heroic" roles. In some periods the tensions will be resolved in one direction; in other periods in the reverse one. There is almost a sense in which families are treated *good for children* in some pieces of legislation, and as *bad for children* in others....

It is certainly possible to organise the history of British and North American child care policy along these dimensions, and from what I know about the various histories of European Member States, I suspect it will ring bells here too.

Perennial tensions in child care policy [1]

* Parents' rights versus children's needs
* Child saving versus family support
* Federal versus State versus local responsibility
* Public versus voluntary financing and service provision
* Developmental versus protective services
* In-home versus foster family versus institutional care
* Appropriate boundaries between the child welfare, family service, juvenile justice, mental health and mental retardation systems
* Individualized, pluralistic modes of interventions versus uniform standards and treatment
* Specialized professional services versus informal, natural helping networks
* Social costs versus benefits of providing varying levels of care.

One might summarise the situation by saying that the ways in which the family gets viewed along these various dimensions range from *"dangerous place to be if you are a child"* to *"best place to be"* and from *"passive recipient of professionally delivered services"* to *"source of all the help a child could need"*.

The way in which the various tensions get resolved at any one point in time depends on a variety of factors, including the dominant child care ideology of the moment, which will itself enshrine views about the appropriate role of families, and their relationship with the wider society.

It is perhaps worth having in mind the articles of the UN Convention on the Rights of the Child at this stage, in particular Articles 18 and 27 on family support.

Just to complicate things further, it is almost certainly the case that at any one point in time there may be more than one child care ideology informing the views of policy-makers and practitioners, though one is likely to hold more sway than the others. Although the following analysis to which I will

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[1] McGowan B. 'Historical Evolution of Child Welfare Services' in McGowan B. & Meezan W. (eds) *Child Welfare : Current Dilemmas, Future Directions*. F.E. Peacock, Illinois 1983

refer, is based on four particular traditions which have held sway in the UK, I suspect there are likely to be resonances of, and overlaps with policy in all the European Member States.

Fox Harding's typology may well shed light on the current approaches which are evident in the Convention itself - at the very least her analysis provides some helpful sign posts through the plethora of views we all hold about the way in which our respective governments and policy-makers should be responding to the needs of children. [2]

* Laissez faire and patriarchy
* State paternalism and child protection
* Modern defence of the birth family and parents' rights
* Children's rights and child liberation.

Four perspectives in child care policy

1. Laissez faire and patriarchy
Broadly identified with the 19th century - some renaissance in the 20th. Power in the family should not be disturbed except in very extreme circumstances, and the role of the State should be minimal.

2. State paternalism and child protection
Associated with the growth of State welfare in the late 19/20 centuries. Legitimates extensive State intervention to protect and care for children, but it may be authoritarian and undervalue family bonds.

3. Modern defence of the birth family and parents' rights
Associated with post World War II welfare expansion - State intervention to support, defend, and preserve birth families. Poorer parents seen as victims of heavy handed State action.

4. Children's rights and child liberation .
Advocates the child as a subject with independent rights similar to adults. Children to be freed from adult oppression by being granted more adult status. It tends to be more marginal to law and policy.

It is clearly the case that advocates of these respective value positions are like to find themselves in considerable disagreement with each other, and that the policy initiatives each would regard as appropriate (given their own view of the world) may, in some cases overlap, but may in others be very different indeed. It is also inevitably the case that all of us in this room will identify to a greater extent with one position rather than another, although we can probably avoid coming to blows.....

There are certain identifiable convergences and divergences :

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[2] *Perspectives in Child Care Policy*, Lorraine Fox Harding, Longman 1991

Convergences

a) **A focus on children** : All four value positions must be credited with some genuine concern for the well-being and interests of children. "The paternalist supporters are concerned about child abuse and neglect, and good standards of parental care. The child liberationists are shocked at the general societal treatment of children and desire passionately to improve it." It is not necessarily the case that all approaches to children are based on this notion of welfare and happiness for children; it is possible to adopt a purely punitive or oppressive approach.

It is in terms of interpreting the child's interests or welfare that the four value perspectives diverge.

b) **The State and the blood tie** : All four perspectives would accept some role for the State in intervening between parent and child to defend or help the child. The child liberationist perspective is most obviously the odd one out, in that the role of the State it envisages is largely to do with taking steps to free children from any controls at all which are not imposed on adults.

"None of the four perspectives would construe the child" welfare as lying in a return to the legal position of the early 19th century in the sense that parents or fathers should have virtually absolute control over their children, as though they were possessions or chattels, or that the principle of non-interference by the State or anyone else, in the dynamics of the patriarchal family, should be carried to such lengths..."

Divergences

a) **The understanding of child welfare** : The understanding of what constitutes welfare is different (eg the first and third place high value on the family of origin, on the basis of psychological and/or biological ties; the child protectionist approach stresses the importance of receiving the best possible care, be it provided by psychological or biological parents, or whoever; it might be foster or adoptive parents, for example).

The child's rights perspective on the other hand would prioritize the view that the child's welfare consists of maximizing the child's freedom to make their own decisions, including the right to choose their own guardians.

b) **The view of the family** : How the family is perceived varies; *kinship* is seen, for example, by the third group as having great psychological benefit to individuals, and children are seen to have a right to their parents and the wider family network.

All of the first three see some kind of nuclear family structure as appropriate for the care of children.

By contrast, the children's rights group would have doubts about the nuclear family structure itself, and may well not value any family structure for its own sake, but would value what children chose for themselves.

c) **The view of society and social problems** : An important area of divergence involves the broader social and political philosophy which underlies

each of the perspectives, including awareness of social divisions, and class and power. The third perspective involves the most explicit concern with these issues and can be seen as a "moderately left-wing view of society and social problems" (Fox). [3]

By contrast, the child liberationists see oppression and powerlessness in terms of age rather than class.

So, as I said at the outset, there is a whole set of conflicting views to be taken into account before we even get to the stage of selecting specific family policy objectives.

Family policy objectives

Hantrais (1993) stresses the complexity of such choices : *"family policy can thus give rise to divisions of opinion over fundamental issues which may concern unintended as well as deliberate effects on individuals and families"*.

She argues there is a potential conflict of needs with which policy-makers in this area have to contend, because *"given that resources are never infinite, choices have to be made which may involve moral judgments..."*.

She identifies the following questions as likely to arise as part of the process of allocating these finite resources :

(a) Should policy concentrate support on families who conform to traditional family types - ie married couples and their legitimate offspring or should they recognise and institutionalise new family forms (eg cohabiting and lone-parent families)?

(b) Should they focus attention on children rather than on the family unit?

(c) Should policy-makers seek to influence family size or the timing of childbirth?

(d) Should family policy be universally applied to all families or should it operate as a form of social solidarity, and by being selective, help only families most in need?

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[3] "Parents who come into contact with child care agencies are seen as of low social class and in a weak power position; and their child care problems are seen as originating in factors connected with social class. Social workers, judges, magistrates, and often substitute parents occupy a higher and more powerful position, and apply middle class or upper class values and norms to the child care problems. The result is a class loaded system in which the poor are at much greater risk than others of losing their children - to higher class homes.... ethnicity is also a factor which operates in the system in a similar way. Preferred solutions are an extension of the welfare state and a reduction in inequality.....

(e) Should women be encouraged to stay at home to look after young children or should the State provide facilities which enable women to combine employment outside the home with child rearing?

A daunting list, to put it mildly!! .....

It is certainly the case that different EC Member States have demonstrated a variety of approaches towards the family, although social policy commentators tend to agree that the social welfare of families has remained an area of only indirect and limited competence for them. Interest in the family is overshadowed by the issues around employment, and an emphasis on workers' rights rather than citizenship rights.

There are, of course, several ways of categorising European countries in terms of their attitudes to family.

Kamerman and Kahn adopted the approach of *distinguishing between countries with explicit, and countries with implicit family policies.*

Explicit can mean comprehensive family policies, exemplified by France. Explicit can also mean narrowly focused policy, exemplified by Denmark and Germany. Absence of explicit family policy and rejection of such a policy is exemplified by the UK.

Hantrais suggests that it is possible to estimate the degree of interest in family policy by the *extent to which family welfare is institutionalised* :

* Whether or not the family is consecrated in the constitution
* Whether or not ministers are appointed with responsibility for family affairs
* The relative importance of these ministers within governments
* How family policy is funded and organised.

Schultheis (1990) produces an "anonymous" *categorisation* along the following lines :

* Countries with a long tradition of family policy making which is explicit, far reaching and legitimated, seeking to respond to a wide range of needs
* Countries taking account of family needs but without creating an autonomous policy area, and preferring more selective measures
* Countries with a negative family policy, reluctant to intervene in family life, but at the same time pursuing actions which are likely to have an impact on the family.

A composite analysis based on all of the above produces the following "league table". The rationale for **who** appears **where** may include several diverse factors, and not only the ideological preferences I outlined earlier. For example, some of those countries who appear to have less coherent policies, may recognise that the State has a duty to support families, or be interested in the family as a social institution, but be prevented by lack of financial resources from adopting a more robust approach.

European Member States : Who scores in the family policy league?

Group A
Countries where the family gets a consistently high profile : France, Belgium, Luxembourg.

Group B
*Countries with less explicitly but **family oriented** policies* : Denmark, Germany, the Netherlands.

Group C
*Countries which appear to have **less coherent or less comprehensive family policies*** : Greece, Ireland, Italy, Portugal, Spain, United Kingdom.

So, to draw together the points I have raised about both child care ideology and family policy, and to conclude this section of my paper, I want to refer to the UN Convention on the Rights of the Child, and in particular to Articles 18 and 27. It seems to me that this provides the basis for a possible fit between the rights of children and the needs of their families.

I am indebted to Gerrison Lansdowne of the UK Children's Rights Development Unit, who has, I think, summarised the key issues very clearly :

> *"Parental rights are not universal – they exist only in so far as they are necessary to promote the interests and rights of the child and as soon as children are capable of meeting those needs or exercising those rights themselves, then the parental rights recede. They are therefore time limited and highly restricted and the new concept of parental responsibility (in the UK Children Act 1989) more accurately reflects the nature of child/parent relationships. However in order for the parent to exercise those responsibilities, they need the power to do so. So here we come to the policy implications of the recognition that children have rights and that parents have responsibilities for promoting them. How far in fact do parents have the power necessary for the fulfilment of their obligations? ... Children are not a good investment; on the contrary calculations have been made which estimate the cost of a child in hundreds of thousands of pounds, but society will benefit from children, in that they are the future generation who will create the wealth which will enable the economy to support its older members. It therefore seems reasonable that society should make a contribution to the support of those children and help parents in the provision of both financial support and services as well as the creation of social structures which will facilitate the upbringing of children."*

UK Child Care Policy : The 1989 Children Act : A Cautionary Tale

I now want to tell you very briefly, about the design and implementation of the (much feted) 1989 Children Act, which in terms of the argument I have been attempting to put above, looks as though it has *all the makings of a very successful and just piece of legislation.* On paper, many of the ingredients are there to create the *ideal recipe for the welfare of families* in the

context of an explicit commitment to the rights of children and young people.

The following gives you some idea of the principles which were declared by the British Government to underpin the Act :

Main themes in the Act

1. Scope
2. Accessibility
3. Balance between protecting children and having procedures fair to parents
4. A priority for child protection
5. The paramountcy principle
6. Parental responsibility
7. Non-intervention in family life unless necessary
8. Partnership with parents
9. Distinction between statutory care and voluntary arrangements
10. A consumer led service
11. Avoidance of delay.

There are many clauses in the Act, some dealing with the formal part of the child care system, including the functions of courts and the mechanisms for child protection work, while others lay out the regulatory requirements for key components of child care provision, such as residential and foster care.

However, I want to concentrate on Section 17, which provides the framework for *family support work*. It lays on local authorities a general duty to:

a) safeguard and promote the welfare of children within their area who are in need,
and
b) so far as is consistent with that duty, to promote the upbringing of such children by their families,

by providing a range and level of services appropriate to those children's needs.

However, this apparently worthy piece of legislation which appears at face to exhort local authorities to undertake the support of families is (in my view) fatally flawed. For two main reasons :

a) It restricts the provision of such services to those children who are perceived as vulnerable in some way, ie "in need" (in need is, of course, defined by the Act to mean any child whose health or development is likely to be impaired without the provision of services, or who is unlikely to achieve or maintain a reasonable standard of health or development without the provision of services, or who is disabled).

b) Local authority social service departments are instructed to ascertain the extent of need in their area, and then make decisions about which groups of children shall have *priority access* to services.

The act thus narrows entitlement to family support services.

If this was not bad enough, more problems emerge when we look at recent research into the implementation of the Act.

The following table shows the groups of children who were allocated high priority access to local authority social services for family support (there were 82 local authorities in our sample).

Examples of the groups of children allocated high priority access to local authority social services for family support, under the requirements of the 1989 Children Act in the UK

	No of LAs
Children at risk of significant harm	64
Children at risk of neglect	61
Children in care	61
Family stability issues	
Homeless families	8
Children with divorcing parents	5
Housing issues	
Homeless families	20
In bed & breakfast accommodation	12
In substandard housing	10
Gas/electricity/water disconnected	10
Poverty issues	
Children in low income families	8
One-parent families	8
Unemployed parents	6
Ethnic/linguistic minorities	
Ethnic minority/black families	8
Children with English as 2nd language	2
Other children	
Children at risk of HIV/AIDS	25
Children under 8	13
Refugee children	9
Children in specific geographic areas	6

Aldgate/Tunstill, Implementing Section 17 of the 1989 Children Act, Leicester University 1994

You can see that the best chances of getting access to services arise from being assessed as a child who is at risk of abuse or neglect; merely manifesting a range of social and material needs, such as living in poverty or being a member of an ethnic minority whose first language may not be English, or being a refugee child comes low in the list.

I want to suggest that such a rationing, and, of course, potential stigmatising of services, penalises both the families themselves, and simultaneously erodes the rights of the children and young people.

There are three parts to the argument here :

1. In the first place, if the general chances of getting services are considerably restricted, then this will have a negative impact on the general welfare of the family, including the child or young person.

2. In the second place, the apparent necessity for a child or young person to become the focus of more interventionist child protection approaches before services are likely to be provided means that she or he may be put at risk of harm from parents or carers before help is offered.

So, if we go back to the theoretical overview with which I started we can see that in this case there is an ironic "synchronicity" between the needs of parents and the rights of children.

If the reverse were true, and adequate support made easily available to families, then both parents and children would be more likely to experience a positive outcome.

3. There is a third important point, which, given the focus on the effects of mobility, needs to be stressed.

If we look carefully at the groups who are least likely to be offered services, then they may well be just those groups who are suffering the worst effects of mobility (eg their income or housing is inadequate; or they have been experiencing particular problems because of racism or discrimination directed at them by virtue of the fact that they are not English, and that, indeed, they are children of families who are mobile.

The United Nations Convention on the Rights of the Child describes a responsibility on the part of the State in respect of all children. Member States who fail to provide family support for all families undermine the rights of children in their own countries, but just as importantly simultaneously undermine the rights of children throughout the Community, by failing to deal with the hazards of mobility.

It is therefore in the interests of all children and young people in Europe if States adopt an approach to policy based on the following four principles:

Universalism : We all use and need services, whether we are managing to lead relatively "normal" lives or we are in crisis or under stress. All families should have full rights to the wide range and diversity of universal provisions (health, social security, employment, housing, education, leisure) as well as those more specialist services to help them over particular difficulties.

Equality and equity of access to services : Everyone has rights to accessible family support services; parents requesting help should not be stigmatised and their access to a wide range of services must be facilitated.

The normality of difficulties in parenting : Services should support and supplement families' endeavours, especially when parenting difficulties are compounded by poverty and deprivation.

Participation : Parents usually know what their needs are and their views should be taken seriously.

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Families in Society

Stepfamilies and Child Maintenance

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The United Nations Convention puts the family at the centre of support for a child by stating in the Preamble :

> *"The family, as the fundamental group in society and the natural environment for the growth and wellbeing of all its members and particularly children, should be afforded the necessary protection and assistance so that it can fully assume its responsibilities within the community."*

When the biological or birth family breaks down and parents separate, it is important to be clear who now has responsibility for the wellbeing of the child. The separation and divorce of parents is a growing concern for most European countries with an increasing number of children being affected. Although the UK has the second highest divorce rate after Denmark, this has remained relatively stable for the last eight years (LCD, 1993).

Stepfamilies

Stepfamilies are different to lone parent families in that there is another adult who may be able to contribute to the stepfamily income. Stepfamilies are different in other ways. One of the adults is a parent to the children, the other is not. The children may have another birth parent who they see regularly, moving between two households which may be very similar or very different in rules, discipline, food, bedtimes, facilities, space, and other family members. If the step-parent has children then the step-brothers and sisters may live as part of the family, or may visit. And in many stepfamilies a new baby will be born bringing a half-brother or sister that all the stepchildren share in common, each through their own parent. Stepfamilies can, therefore, be large, as well as complex, and a married step-parent in most of the European countries appears to acquire duties and responsibilities as a 'parental' figure in the household, but few rights as a step-parent, as is the case in the UK (Masson, 1992).

The number of stepfamilies that are created in the UK today is estimated to be almost exactly the same as it was over 100 years ago. The big difference is that in the past a parent usually remarried because their partner had died. Nowadays, although some parents do sadly still die, more remarriages arise because the parents have separated or divorced.

Increasingly, however, children in the UK are being born to parents who are not married. In 1989 this amounted to one in four of all live births. Not all of these children will be living with both parents although it appears that the majority are, over 70% of all births outside marriage being jointly registered by both parents and 51% of the parents living at the same address. We do not know how many cohabiting couples separate and then marry or form new relationships. In these situations a marriage would not be registered as a remarriage, but the relationship would create a step-parent for the child. Where the couple is cohabiting, the new partner would become a *de facto* (in practice or in fact) step-parent, but not a step-parent *de jure* (in law).

There is little research on stepfamilies and virtually no comparative studies to draw upon, but it has become clear that the term 'stepfamily' is not widely used or understood in many of the European countries. Indeed, there appears to be considerable confusion not only about the term, but also about the role and responsibilities of step-parents. The definition used by the National Stepfamily Association also recognises that there are some stepfamilies where the two adults may be of the same sex :

> *"A stepfamily is created when two adults, one or both of whom already has a child(ren) from a previous relationship, form a new relationship where the new partner becomes an important adult and parent figure to the child(ren). Such stepfamilies may be preceded by single parenthood, separation, divorce or bereavement and may arise through cohabitation, marriage or remarriage. Stepchildren may be full-time or part-time members of the household."*

There are no easy ways of describing these new family forms. It has been estimated that there are 26 possible permutations of step-relationships as single, divorced and widowed people form new families. (Burgoyne & Clark, 1982). There are full-time and part-time stepfamilies according to where the children spend most of their time. There are children who are his, her and theirs, according to who belongs to whom. There are the ways in which stepfamilies see themselves "not really a stepfamily", or a "couple who have children visiting", or a "couple waiting for the children to leave home." Some people call stepfamilies reconstituted or reformed families but they are not the original family put back together again; they are a new group of people living as a family unit (Robinson & Smith, 1993; Visher & Visher, 1980).

The first formal statistics have recently been estimated for stepfamilies in the UK using the General Household Survey 1991 (GHS, 1993). This survey of 19.039 people aged 16 or over, in a sample of 9955 households, is designed to be representative of the whole population living in private households. They found 25% of households where a traditional family of a couple with dependent children, and 8% of these contained at least one stepchild. Over two-thirds of the adults in these stepchildren families were married (*de jure* stepfamilies). The vast majority, 86%, were stepfather households with her children, 6% were stepmother households with his children, and 6% were both stepfather and stepmother households as each partner had children from a previous relationship. Over half these stepfamily households, 52%, had at least one child of their own born into the stepfamily. The majority of the children had started living with the step-parent before the age of 10 years old. This survey only included children living full-time in a step-

family which amounted to 1 in 12 households, estimated as 1 in 8 children. Many of these children will also be members of a part-time stepfamily, as will many children living full-time in a lone parent family.

In France, it is estimated that 950.000 children under 25 years old are living with a step-parent in 660.000 stepfamilies, and a similar figure of just over half also have a child of their own in the stepfamily (Desplanques, 1993). It would be useful if comparable figures were available for all the European countries so that we could estimate the numbers of children growing up in stepfamilies. As the re-divorce rate is higher for second and subsequent marriages (1 in 2 compared with 1 in 3) it would also be helpful to conduct research into the difficulties experienced by stepfamilies who break up and the strengths in those that survive.

Despite the lack of similar statistics on children living in stepfamilies, there is usually documentation on the numbers of children who experience the separation or divorce of their parents. The growing interest and concern for stepfamilies appears to have arisen, in part, as a result of anxieties about child abuse, but more particularly over recent years in trying to ensure that non-residential parents pay a regular and realistic amount of child maintenance to support the child(ren) financially, and discovering that many already have a second family to support.

The purpose of Child Maintenance

The UK Government brought in a new system of assessing, collecting and enforcing child support under the Child Support Act 1991 which was implemented on 5 April 1992. In the White Paper entitled "Children Come First" (1990) the government announced its proposal to establish a system of child maintenance which would be equally available to any person seeking maintenance for the benefit of a child, and summarised its intention to ensure the following :

* Parents honour their responsibilities to their children whenever they can afford to do so.
* A fair and reasonable balance is struck between the liable parent's responsibilities for all the children he or she is liable to maintain, recognising that many liable parents have formed a second family and have further birth children.
* The system produces fair and consistent results, so that people in similar financial circumstances will pay similar amounts, and people will know in advance what their maintenance obligations are going to be.
* Produce maintenance payments which are realistically related to the costs of caring for a child.
* Maintenance payments are reviewed regularly to reflect changes in circumstances.
* Parents' incentives to work are maintained.
* The public receive an efficient and effective service.
* Dependence on Income Support (a welfare entitlement) is reduced.

The Child Support Act proposed an integrated package, which includes :

* a formula to assess how much child maintenance should be paid;
* a child support agency which has responsibility for assessment, collection and enforcement of such payments;
* encouragement to residential parents to go to work by making changes in the rules for social security benefits paid to people who are working.

Reviewing arrangements for child maintenance

Awareness of the financial poverty of children growing up in lone parent families, and the cost to the State through a variety of welfare benefits, has encouraged many governments to reconsider the arrangements for child support/maintenance (terminology may be used differently in different countries). In 1989, the USA began a review of initiatives started in 1974 to strengthen enforcement of child support obligations, with amendments in 1984 which required employers to make deductions of earnings from 'delinquent debtors'. Further amendments in 1988 required automatic withholding as from 1994 whether or not the non-residential parent was in arrears (Maclean & Eekelaar, 1993). In Australia, a new child support scheme was introduced over a period of 18 months, in 1988-89, in two stages. Those separated before a given date (1 October 1989) had child support assessed through the court system, but could use the collection and payment system of the new scheme. Whilst those separated after that date must have their child support assessment determined by the new agency with a formula which varies according to the number of children the non-residential (absent parent) must support.

Child maintenance in Europe

It would appear that birth parents are always held to be financially responsible for the upkeep of any biological children, but different approaches are used in the European Member States.

More information is needed on exactly how the assessments are made, collected and enforced. This will become particularly important as there are likely to be cases in the future where child maintenance may be assessed in one country and would require collection or enforcement in another. In some countries, for example, Scandinavia and the UK, child maintenance is organised through an administrative system and in others, such as Germany, applied through the courts.

In 1982, the Committee of Ministers of the Council of Europe recommended that Member States should consider the option of the residential parent (the parent with whom the child is living) being granted a guaranteed sum of child support with the State bearing the risk of non, or incomplete, collection (Maclean & Eekelaar, 1993).

A review of family policies on child support in 1992 found that in eight of the twelve Member States there is a system of advanced payment, but these may be restricted in three ways : the amount advanced can be limited; the right to entitlement for such an advance can be means-tested; the right to entitlement is provided for children under a maximum age (European

Observatory on National Family Policies, 1992, Vol 1). For example, in Germany, entitlement to State payment of alimony/maintenance (available to a parent bringing up and maintaining a child alone) was only provided for children aged six years and under for a maximum duration of 3 years. This was amended in 1991, and from 1 January 1993 extended for children up to age 12 years for a maximum of 6 years (EONFP, 1992, Vol 2). In Denmark, entitlement is until the child is 18 years old (EONFP, 1992, Vol 2). In Spain, an amendment to the Civil Code in 1990 now enables rulings on separations, divorces or marriage nullities to determine payments for children over 18 years living with a parent and with no income of their own (EONFP, 1991).

Child maintenance in the UK

In the UK, the new child support system has been introduced in two stages. As from 5 April 1993, a separated parent bringing up a child and receiving one of three State benefits will, with some exceptions, be required to comply with the Child Support Agency to seek child maintenance from the other birth parent. A separated parent without an existing child maintenance agreement may also apply to the agency voluntarily. However, any separated parent with an existing maintenance agreement will have to wait until April 1996 before they can use the Agency. The formula used to work out the amount of child support takes into account :

* The day-to-day cost of maintaining a child (based on existing social welfare benefits allowances).
* The income of both parents making allowances for tax, national insurance and some essential expenses such as housing costs.
* Any other children either parent may have.

New partners of either parent will not be expected to pay anything towards the child support of children who are not their own. However, because a partner of a non-residential parent has to declare their own income in order to assess the amount of income at the disposal of the non-residential parent's household, this has become confusing for many people.

There is not space here to describe in detail the advantages and disadvantages of this child support system, but there has been fierce criticism of the implementation of the system and the rigidity of the formula. The House of Commons Social Security Committee received evidence from numerous groups and individuals (including the Minister responsible) and made seven recommendations for change (Social Security Committee, 1993). In February 1994 a number of amendments were introduced, including a change in the £44 'carer' allowance paid where any child is under 16 years old (an amount to acknowledge that the parent was looking after the child) which is now reduced to £33 once no child is under 11 years, and £22 where no child is under 14 years. Another change, introduced only for second families (stepfamilies), was to introduce a phasing-in safety net spread over 18 months, and an assumption that any costs incurred by stepchildren and not being met by their own non-residential parent would be absorbed in the increased allowance of protected income which is a key part of the formula. There are still many second families who believe they are being assessed unfairly and are finding themselves with insufficient income to meet the obligations to their present family and the greatly increased payments for the first family. This is especially challenged by those non-

residential parents who made capital settlements through the courts prior to the Child Support Agency being established, and feel that they are now subject to retrospective legislation and being expected to pay twice.

Stepfamilies and child maintenance

There is clearly an acceptance that a parent alone, without sufficient income to support his or her self and any child(ren), is entitled to seek financial support from the other parent. However, when the parent remarries and the child acquires a step-parent it is less clear. For example, in France there is a legal relationship and responsibility between a child and its father and mother, and the non-residential parent is expected to contribute to the financial maintenance of the child. A married step-parent, however, also has a legal and financial responsibility for children in this new union. It has been argued that there might thus be three people responsible for a child : mother, father, stepfather (Bourgault-Coudevylle & Delecourt, 1993). This is also possible in the Netherlands, where the law determines that a stepfather has the duty to maintain any stepchildren living in his household (Spruijt, personal communication). In Greece, where a spouse with the care of the child and insufficient income, is entitled to seek alimony under the Civil Code, this right to maintenance is lost if the parent receiving it remarries or cohabits with a permanent partner. In the UK, it is still possible for a married stepfather to be held financially responsible following a marriage breakdown for a stepchild on the basis that the stepchild had been "treated as a child of the family". Whilst the Child Support Act insists that only the birth parents are financially liable, and gives no recognition of any financial support a step-parent may give to a stepchild in assessing their own income for child support purposes, child support could still be sought for a stepchild through the Courts if the marriage broke down (Masson, 1992). And, as was mentioned above, although a new partner is explicitly not liable for any child support of a child not their own, any income they have must be declared in the assessment form to be submitted by their partner, the non-residential parent.

Looking to the future

If current trends continue, stepfamily households may become the norm as parents separate and divorce, and then form new relationships and remarry. If we are to avoid increasing numbers of children suffering from the separation of their parents, there are key issues which any child maintenance system must address. Some of these include :

* the ability of the non-residential parent to pay sufficient maintenance to meet the day-to-day costs of caring for a child(ren);
* the need for any system to accommodate to family change, whether in terms of residence of children, loss of paid employment of either parent, or arrival of new children;
* the rights of the child(ren) to continued contact with both parents, which may be drastically reduced if there is insufficient income to maintain contact which involves travel;
* the mobility of parents between European countries, and the need for reciprocal arrangements for collection and enforcement.

Separation and divorce, repartnering and remarriage are adult ways of dealing with adult relationships. It is essential that we also address the

needs of children at such times of family change, stress and transitions. This must include : alleviating poverty within the lone parent family or stepfamily; enabling children to have contact with both parents; helping children and adults adjust to family change, whether through child counselling, mediation services or family support; recognising and supporting stepfamily life as a reinvestment in family life so that children have a chance to flourish in a new setting with additional significant adults (step-parents) to help them; ensuring that there is no discrimination between children by any system which puts the needs of the first family before the second, or first-born children before subsequent half-siblings or step-siblings.

In conclusion

There is widespread public support throughout the European member countries that parents of children should provide realistic financial support for their children whenever possible. There also appears to be support for the notion that the State should provide a guaranteed advance of child maintenance which the State can aim to recoup from the non-residential parent. The differences that have been noted include : the choice between an administrative or court based system; means-tested entitlements; entitlements linked to the age of the youngest child; means of enforcement and the power to deduct maintenance through an employer. It is also clear that the role and responsibilities of a step-parent, whether married or not to the parent of the stepchild, are unclear and could be conflicting. If we are concerned for the wellbeing of children and in supporting family life, then more attention needs to be given by researchers, demographers, practitioners and policy-makers to the realities of current family trends and transitions which must include recognition of the stepfamily.

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Workshop on Stepfamilies and Child Maintenance

Conclusions

Issues considered :

Ability to pay for child(ren) : The existence of a system to accommodate family changes including : mobility of stepfamilies and within stepfamilies; factors creating imbalance (such as financial instability of parents/carers; difficulties in terms of State provision/legislative framework/uncertainty, especially in terms of duration of stepfamily viability).

Consideration of rights of child(ren).

Mobility in terms of different status (constitutional) ie court based versus agency based systems of support.

Needs of Children : Alleviation of poverty : retaining contact with both parents : help in adjusting within novel situations – provide opportunity to flourish, to nutrition, to housing, love, support, continuity.

No discrimination between children coming from previous marriages and children from the newly formed one(s).

Measures of securing child maintenance : Reinforce parental responsibility: ensure provision; alleviate costs to State; secure fair and consistent results: maintain incentives to work, love and positive 'emotional baggage'.

Counter? consider particularities of ethnic cultural determinants eg Chinese step-parents are considered 'foolish' when parenting someone else's child; gypsies immediately undertake parenting responsibilities for children in need; Caribbean people have an 'open-family' life style, etc.

Recommendations

NGO level : Family protection/support plans

1. NGOs ought to engage into practical implementation of support and maintenance.

2. NGOs ought to realize action plans and collect information to press governments to 'nationalise' tactics.

3. NGOs should create and/or expand support for families – through mediation systems, conciliation schemes, counselling services especially for (step)families in difficulty or facing separation.

4. NGOs should organise adult-realization campaigns on the need to stay together.

National Government level : Define situation/collect information

1. Should define/construct the measure upon which needs will be evaluated.

2. Should actively introduce public education programmes not only for stepfamilies, but also for would-be such families.

3. Should not enforce any legislation retro-actively (provide time-spans for adjustment i) to the idea of resuming responsibility over the child on a life-time basis, and ii) to bearing such responsibility in actual terms).

The European Union level : Conduct comparative studies/ actively proceed to implement resulting knowledge

The EU should conduct comparative studies on a European collaborative level, after : defining situation/collecting information for each Member State : then, proceed to enforcing measures of securing child maintenance (see issues).

Families in Society

The Reconciliation of Family and Working Life

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Introduction

The existing segregation in the roles of the two sexes, ie between work and family life and respectively between the private and the public sphere, is ignoring the economic contribution of women in the household and *leads* to discriminatory conditions in the engagement of women to employment, in the level of their salaries and in their career in general.

The question of reconciliation of family and working life is considered as a very important issue – if not the most important – in family policy in most European countries. The increasing participation of women in the labour force and the changes in family structure give to this issue a *high priority*.

The importance of the life cycle perspective in the study of women's paid work and family careers has been analyzed by many researchers (eg Symeonidou, 1991, E.C., 1991, Kempeneers and Lelièvre 1991).

A central concept in this framework is "careerline" defined as an individual's life history in each role domain such as marriage and parenthood and work life (eg Rexroat, 1985).

The family policies on childbirth and care are related to employment policies and to replacement of family substitute policies.

In this article we will refer to the main measures taken by the countries of the EU on childbirth and care. These measures seriously affect the couples' employment life and especially the women's work, since it is still the women who are mainly responsible for the upbringing of children.

Measures related to the protection of pregnancy, flexitime and parental leave

In all Member States pregnant women are protected in their employment against dismissal for reasons connected with their condition. Moreover, in most Member States – with the only exception of Ireland and Italy – they are protected by law for safer working conditions. They are also entitled to pre-natal medical examinations during working time, without loss of pay, a measure which has not been applied yet in Belgium, Greece and France (Dumon, 1992).

Maternity leave in some Member States is linked to compulsory leave in the pre-natal period. It lasts at least 14 weeks, except in Portugal and the UK

where it lasts for a shorter period, and it is either fully or partially compensated in the different Member States. Next to the maternity leave paternity leave is also emerging in some Member States. Since 1991, in Denmark and Spain the father is also entitled to maternity leave : in Denmark for two weeks which can be taken during the first 14 weeks after childbirth, and in Spain for the last four weeks of maternity leave.

After the end of the maternity leave in most Member States (7 out of 12) the parental leave measure is applied, ie leave of absence which can be used by the father or the mother. Its duration varies among different countries (the maximum duration is met in Germany and Denmark where it lasts for 6 months). The right of the worker to re-enter the labour force after the end of the parental leave is guaranteed - although more in the public than in the private sector. Nevertheless, only three countries (Denmark, Germany and Belgium) provide for some financial compensation. Moreover, it is not generally secured the same position and the promotion opportunities after the end of the parental leave (as is the case in France). In the case of Greece, employees not only receive no wages while on parental leave, but they are still obliged to pay their own social security contributions together with the employer's contribution. Because of these (and other) restrictions, the coulees do not make use of the parental leave.

Another important strategy towards the compatibility between family and working life is flexibility of working time, which includes the questions of flexible work timing, of reduced working hours and of leave of absence for family reasons.

In all Member States, with the only exception of the United Kingdom, arrangements for scheduling working time have been introduced in the last decade. Although they are not explicitly family specific, except for Denmark, they have a great family impact.

Reduced working time, in terms of hours per day because of childbirth, is in force in Greece and Spain only, whereas in Belgium, Germany, Greece and Portugal, parents are enabled to stay at home for a short period (from 6-12 days) for specific situations, such as sickness of a child or education.

Part-time work cannot be considered as a family-policy measure; it is rather debated in the context of gender equity in relation to working conditions.

Career suspension for family reasons is provided in three Member States, ie Belgium, Denmark and Ireland, and it is paid only in the first two countries. It can last up to five years in Belgium. In Ireland it is limited to government positions (Dumon, 1992).

Child Care Provisions

The main problem in the Member States concerning child care is related to the availability of places for the age group 0-3 years. The most important strategies are related to public and private creches or home based arrangements. Two other kinds of policies, ie arrangements by the employers and care of children, at home, by certified child carers, are supplementary.

For Greece it has to be mentioned that practically there are no public creches for this age group and the child care, while the mothers are working, is done (by 53%) by relatives (usually grandmothers) (Symeonidou, 1992).

With regard to the costs for child care, tax reductions for this matter exist in Belgium, Spain and France, where provisions also exist for a subsidy given to families for child care.

In Denmark each child is given a grant, whereas since 1991 incentives are provided to the private groups, parents and companies to organise creches. Moreover, the parents are represented in the governing boards of child care facilities (Dumon, 1992).

Causal Relationship between Fertility and Women's Employment. The Effect of Policy Measures

The micro-level analysis of fertility in developed countries usually indicates a reverse relationship between childbearing and female labour force participation, but the direction of the causal influence of the relationship has been debated (Magdalinos, Symeonidou, 1989).

Surveys conducted in the UK, Ireland, the Netherlands and Germany suggest that it is not the number of children, but the age of the youngest child which has a negative effect upon employment. A contrasting pattern has been found in Belgium, France, Italy, Denmark and Spain (Commission of the European Communities, 1991).

In France, it has been found that female labour force participation affects fertility negatively and thus the mothers to proceed to have a third child are those who have already dropped from the workforce.

In the case of Greece, from the National Fertility Survey carried out in 1983-1985 under the direction of the present author, it has been found that women's employment has a significant causal influence on fertility, but fertility does seem to have a significant effect on labour force participation. The already mentioned important help offered by relatives (usually grandmothers) for child care and the inflexibility of the Greek labour market (women have either to remain in their jobs or to leave work permanently) are two possible explanations for the absence of any significant effect of fertility on women's involvement in the labour force (Magdalinos, Symeonidou, 1989).

From the study carried out for the EU on employment and family, it has been tested whether the incompatibility between family and working life may be reduced through benefits such as more extensive maternity leave, better child care facilities, greater flexibility in the hours of work, or better provision of leave to look after a sick child. It has been found that the impact of children on the mother's employment is lowest in countries where State support in families is more extensive.

For example, in Denmark, where women were entitled to an extensive maternity leave and have access to a well developed network of public child care facilities, the proportion of women having interrupted work after childbirth was much lower than in Britain, where women face a much lower level of State support (Kempeneers and Lelièvre, 1991).

Results from a study carried out on the basis of 22 industrialized countries for the period 1970–1986 suggest that benefits related to employment such as maternity leave benefits, were found to have a larger effect upon fertility than cash benefits (Gauthier, 1991). Nevertheless, we have to emphasize that all work arrangements did not exert a significant impact on the decision to return to work after childbirth. Results from the 1988–1989 British survey on employment and family history led to some inconclusive results: while it was found that the receipt of contractual maternity pay has a positive effect on the return to work after childbirth, it was also found that the receipt of the State maternity allowance has no significant effect on the return to work. Furthermore, other forms of benefits such as the availability of flexible working hours, job-sharing opportunities and part-time work arrangements did not exert a significant impact on the decision to return to work after childbirth (Gauthier, 1993).

For France it has been found that the favourable policy related to women's employment and childbearing has affected positively the 3rd rank births (by 13%) (Blanchet, 1987).

Summary and Conclusions

The question of reconciliation of family and working life has been given recently much attention among the countries of the European Union.

Different measures related to childbirth and care have been taken, and emphasis is given on the question of parental leave.

Nevertheless, it is very difficult to evaluate the effect of the measures taken upon women's employment and fertility. Various studies suggest that both variables are affected.

Nevertheless, key policy issues are those which involve birth spacing and completed fertility in relation to employment patterns, extensive parental leave and returner's rights, child care facilities of sufficient quantity and quality, home help, programmes for the creative occupation of children after school hours are some measures to be applied in all EU countries.

The other action which should be taken in the field of employment is related to the vocational training of women to allow them to enter, or re-enter, the [illegible]rce after a period of absence for family reasons.

The policy discussion will always be more effective when research evidence is available. Surveys should thus be carried out on a regular basis and in all the countries of Europe. The employment/fertility relationship can be analyzed using data collected through fertility studies if date of birth and employment histories are examined, people's preferences and attitudes towards employment and fertility are explored, and birth spacing in relation to employment is considered along with completed fertility. Time budget surveys on a yearly basis are necessary in analyzing this topic. A further research tool of the greatest use would be provided by longitudinal data on these subjects. Special attention should also be given to subjects such as single parents (usually single mothers) and the pressures of economic need and atypical employment often met with in southern European countries.

Continuous evaluation of policy measures is essential for the success of such policies, since both the variables – fertility and employment – are affected by socioeconomic changes, and any policy measures should be under constant review.

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Workshop on the Reconciliation of Family and Working Life

Recommendations

In social policy, children are not considered a priority and the State still relies on women for the care of the family. Working and family life has changed irrevocably and services need to be provided to take account of this, and the changing demographic scene.

1. The welfare of children is a priority and provision should be seen as primarily for the benefit of children.

2. Special attention should be given to the holistic needs of babies and very young children.

3. There should be an awareness of the possibility of women's exploitation from employers' contribution to day care.

4. National governments should fully implement the European Child Care Recommendation.

5. The European Union should make the Child Care Recommendation a Directive, binding on all Member States.

Families in Society

Family Needs in Rural Areas

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RADIAL is a project that underlines the social and educational aspects of community development in disadvantaged rural areas of the Algarve.

As an educational project, it aims at self-reliance among the local populations, and this is attained through a process of creative interaction between the RADIAL team and local communities.

In this context, participation becomes the real lever for community development.

Since its inception, in 1985, the project focused its efforts in the North East of Algarve through partnerships with local authorities, informal associations and public services.

I will now briefly describe the various types of child support services that evolved in the course of our project.

The Ways of Village Childhood Development Centres (CAIs)

In 1986, and in four communities scattered throughout the northern area of the Algarve ("Serra") - Alte, Azinhal, Cachopo and Martinlongo - a process of creation of child support facilities has begun, trying to respond to those needs which were not covered by the existing services (Primary School and Televised School). In order to achieve this, we supported the reinforcement, or the creation, of local associations - mainly parents associations - which made possible the Village Childhood Development Centres (CAIs). These associations are today registered as Private Institutions of Social Solidarity (IPSS) and are the holders and managers of the CAIs, subsidized by the Department of Social Affairs.

The CAIs welcome children aged from three to six - equivalent to kindergarten, in full-time - and from 6 to 14 years old - equivalent to Free Time Workshops (FTW), in part-time during school time and in full-time during school holidays.

To work with the children in these Centres, local young people were recruited and selected, as "animateurs". For approximately three and a half years they have received an initial training of socio-educational monitoring conceived and realized by RADIAL. The methodology used relied, once again, upon the participation of the "animateurs" themselves in all phases of the process, which went along while they were already working with children ("in service training").

The ways of Itinerant Education

From 1989, it was the children from the "montes" (small hamlets of 5/6 houses), even more isolated, who were the target of RADIAL's attention at the level of concrete actions. For these children, in places where the creation of permanent care centres is not possible, what can one do? To respond to this question, a new form of support was then started : the itinerant education. This sub-project was realized together with the Ministry of Education, and developed its work for two years in six small communities.

Conceived and developed by three pre-school teachers, this work aimed at children aged from 3 to 6 years old (kindergarten age). One discovers that whatever is made under these conditions, it implies inevitably and compulsorily involving the family and the community as a whole. That is why many rural educators look for the permanent connection to families and the community. Either one works with parents, brothers and sisters, aunts, neighbours, the president of the club or of the community council ... or one does not work in such rural localities!

The PlayBus Ways

The RADIAL experience always leads us to look for models of intervention that are flexible, multipurpose and adapted to the needs of children and families. The final aim is to reduce the inequalities that remain with regard to the access to education.

As from 1991, in order to open the access of children from isolated rural communities (and to the communities themselves) to a wider range of resources and experiences, we launched a first PlayBus : a van with the interior converted and specially conceived for this effect, equipped with toys, games and books, duly disposed, began to regularly visit a series of scattered villages, promoting educational activities in their houses, in schools or in any other places of the villages.

There was born the Alcoutim Itinerant PlayBus

With this project we also meant to urge the Ministry of Education, the local authorities, the parents, the communities and other educational agents to the need of adequate alternatives for the children's education as a response to the specific demographic characteristics and to material and human resources of the rural areas.

In 1993, with the financial support of the LEADER programme, and together with all the concerned local authorities, two new itinerant PlayBuses began to operate in Mértola and in Almodôvar.

With this equipment, not only a new model of intervention and support is implemented, which is adequate for small isolated rural settlements, but also a methodological, structural and material alternative is established to provide support to children who are too young to go to school. And this in villages and "montes" where their diminishing numbers do not allow for the opening of kindergartens.

Workshop on Family Needs in Rural Areas

Recommendations

1. In working in rural areas **child welfare organisations** should:

* allow local people to define their own needs;
* investigate ways of reducing inequality of access;
* look at the possibilities of computer networking and creating networks for work opportunities;
* use the media to highlight successes;
* exchange detailed practical information;
* develop community models to help those organisations trying to start rural projects
* think global, act local.

2. **National Governments** should :

* differentiate between rural and urban situations when reporting to the UN Convention Committee;
* recognise the special needs and case for rural areas which should be reflected in funding arrangements.

3. **The European Union** should :

* develop programmes specifically to prevent rural depopulation;
* support the creation of new facilities to rural developing areas;
* give support to projects based on the current local initiatives;
* think local, act global.

The Child's Perception of Rights

The Child's Perception of Rights

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Introduction

The the ratification by a significant number of countries all over the world of the UN Convention on the Rights of the Child is proof of its international recognition and support.

However, its importance will only be evident if each country makes the Convention real for the lives of children by introducing measures at all levels that affect children's lives - measures in legislation, policy and practice - but also by ensuring through resource allocation, the setting up of mechanisms for attitudinal changes that these measures effective.

It is particularly on the issue of attitudes and perceptions that I will focus.

Though, undoubtedly, on a general level, there seems to be a consensus on the principles of children's rights, discussions, questions and arguments arise, however, as to the content and extent of exercise of certain rights. Let me turn to some of these different perceptions of children's rights.

1. Children's rights are universal, but the contextual situations of their application vary enormously. Some rights may be more universally accepted than others. But even within one country, significant differences of opinion exist as to the level of acceptance of certain rights, depending on the age or cultural or social or sex group one belongs to. Though there seems to be a more or less general acceptance as to, what they have been called, "objective" rights of children or their rights for protection and the consequent obligations of the family and the State to secure such rights, there is considerable disagreement as to the "subjective" rights of children, their rights to autonomy, independence and participation. This, of course, is not surprising since it upsets existing patterns of power giving children more power that is taken away from parents or school authorities or other authorities. It is, therefore, natural to expect that in this power game, children would want more and parents or other institutions would be willing to concede less. Cultural reasons (ie how democratic a culture is, how far there is a human rights tradition, etc.,) will determine the extent to which institutions would be willing to treat children as subjects and pass over to them power and responsibility. At the same time, these cultural reasons will determine the extent to which children would use in a positive way their assigned responsibility, setting their own limits to its exercise and respecting the rights and responsibilities of others.

2. Another point of friction regards the specification of the extent and limits of the exercise of children's rights. In the 1989 Convention, for example, there is no specification as to the lower age limit for the implementation of one or the other right. It seems that in doing so, the Convention wants to allow each society to define its own limits, but also to facilitate future changes.

However, as is said above, in each society different and even conflicting points of view arise in any attempt to specify the exact content of children's rights and define its limits.

3. Friction also revolves around the issue of "rights v duties". Though, of course, in a democratic society there are no rights without duties, it is often necessary to draw to the attention of children that they do not only have rights, but also duties to parents and society. In fact, different perceptions of what are or should be children's rights and duties and, reversely, parents' rights and duties, give rise to arguments and conflicts within the family or, more generally, within the society.

4. A final point of consideration is the different perception and acceptance that children or adults may have of their rights, vis-a-vis the rights of others (ie children of other cultural or social groups). How far are children or adults willing to recognise to others the same rights that they perceive for themselves?

It is within this context of thinking that we, in the National Welfare Organisation (NWO), initiated a small survey a few months ago on how children perceive their rights. The survey was planned by a team of sociologists (G Handanos, I Georgouli, Evi Hatzivarnara) in the Department of Research and Planning of NWO in Athens, and was implemented, with the help of NWO's Social Workers, Psychologists and other staff, in 7 children's homes and 21 family support centres all over Greece.

Objective

The objective of the study was to identify how children perceive certain rights, particularly rights that, as was discussed above, are not widely accepted, or give rise to different interpretations, or there are different opinions as to their age or other limits, but also what perception children have of what one can do in cases where they thought their fundamental rights were violated.

In particular, we examined, basically, two categories of rights :

The "subjective" rights (the rights to be treated as a subject) : Relevant articles in the Convention are :

- Article 12, concerning the child's right to freely express an opinion in any matter that concerns him/her.

- Article 13, concerning the child's right of freedom of expression and the consequent freedom of searching, receiving and disseminating information and ideas.

- Article 14, concerning the child's right of freedom of thought, conscience and religion.

- Article 15, concerning the child's right of freedom of association and freedom of peacefully assembling.

- Article 16, concerning the child's right not to be an object of arbitrary or illegal interference in his private life, in his family, in his house or in his correspondence, or an object of illegal offenses against his/her honour and reputation.

- Article 19, concerning the child's right to be protected from any form of violence and offence from parents or other guardians.

- Article 24, concerning, amongst others, the right of the child to be provided with all necessary information regarding health and nutrition, the prevention of accidents, environment hygiene.

Cultural rights (ie rights acknowledged to others, rights of respecting "culturally different" others, rights of living together) : Articles of the Convention that are of relevance here are :

- Article 23, concerning the right of children with special needs to live a life in dignity and participate in an active way in social life.

- Article 29, concerning the education of the child and its objectives. It is emphasized that the education of the child should prepare him/her for living in a free society with a spirit of understanding, peace, tolerance, sexual equality, friendship between people and ethnic and religious groups and indigenous populations.

  It is also stressed that education should promote respect for parents, for one's own identity, language and cultural values, for the national values of the country in which one lives and the country of his/her origin, but also respect of cultures and civilizations that are different from his/hers.

- Article 30, concerning the right of a child that belongs to any ethnic, religious or linguistic minority group, or is of autochthonous origin, to lead a cultural life of his/her own, to have his/her own religion, and to use his/her own language along with the other members of the group.

- Article 31, concerning the child's right to leisure, free time, recreation and free participation in cultural and artistic activities.

Besides these two basic categories of rights, some attention was paid, too, to the right of the child to keep regular personal contact and have personal relationships with both parents, in the case where the child lives away from both, or one of the two (Article 9) and the right of the child, when it is necessary to live away from the home environment, to be provided with a solution that takes account of his/her ethnic, religious, cultural and linguistic origin and the need for the continuation of his/her education (Article 20).

Methodology

Because the survey was planned to be a pilot study, the sample of children that participated was rather small (total of 214 children).

The sample consists basically of two categories of children : children that live in the NWO Children's Home (ie children that, due to serious family difficulties cannot live any more with their family) and children that are members of the NWO Family Support Centres (ie centres that develop a variety of community, educative and leisure activities for the members of the nearby community).

All NWO Children's Homes with adolescents were included in the survey (7 in number), while, due to their large number, a selection of Family Support Centres was made (21 out of around 320 Centres), following certain criteria (ie size of the community and geographical distribution).

Out of each Home or Center, a specific number of children, aged 14-18, was selected following criteria or sex and age distribution. 109 children living in Children's Homes, and 105 children members of Family Support Centres, participated in the survey, out of which 103 were boys and 111 were girls.

The children were asked to answer a questionnaire expressing their opinion in a number of issues related to their rights. Fictional case stories upon which the children had to express their opinion were used in the questionnaire as a method of making the participation of children more interesting for them.

The correlational analysis of the data was based on two variables : the variable of whether the children lived in a Children's Home, or in their family (ie members of Family Support Centres), and the variable of their sex. Factors related to time, the nature of the study and the size of the sample limited the possibility of further statistical analysis.

Findings

Bearing in mind the size of the sample, one, of course, has to be rather cautious about drawing wider generalisations. Let us now turn to some of these findings. First of all, we will turn to what we have called "subjective" rights of children.

Table 1

Should or shouldn't a child of elementary school age have the right to express freely his/her opinion in his/her family or school environment, and even demand that his/her opinion is respected in the following matters?

	Does not have the right to express an opinion (%)	Has the right to express an opinion (%)	Has the right to demand that his opinion is respected	Total (%)
1. The way he/she dresses	7	83	10	100
2. The food he/she prefers	18	69	13	100
3. The games/books he/she likes	5	65	30	100
4. The friends he/she wants to have	9	60	31	100
5. The time-length and kinds of TV programmes he/she watches	31	64	5	100
6. The hour he/she goes to bed	47	47	6	100
7. In case of the parents getting a divorce, with whom he/she wants to live	7	47	46	100
8. In case of having to live away from his/her family, in which environment he/she would like to live	7	58	35	100

1. The majority of children in our sample, in all matters posed, believe that children of elementary school age have the right to express their opinion, and in some cases even demand that their opinion is respected.

2. Children feel very strongly about the significance of a child's opinion in matters relating to the choice of where he/she may live in the case of the parents getting a divorce. or in other cases.

3. On the other hand, a large proportion of children in our sample believe that a child of elementary school age does not have the right to express his opinion on the hour he/she goes to bed, or the time-length and kinds of TV programmes he/she watches (47% and 31% respectively).

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Table 2

Should or shouldn't a child of 16-18 years of age have the right to express freely an opinion in the family or school environment, and even demand that his/her opinion is respected as follows?

		Does not have the right to express an opinion (%)	Has the right to express an opinion (%)	Has the right to demand that his opinion is respected	Total (%)
1	The way he/she dresses	-	57	43	100
2	The food he/she prefers	7	70	23	100
3	The games/books he/she likes	-	58	42	100
4	The friends he/she wants to have	1	56	43	100
5	The time-length and kinds of TV programmes he/she watches	3	69	28	100
6	The hour he/she goes to bed	6	64	30	100
7	Kind of music he/she listens to	1	48	51	100
8	The hour of his/her return home after an outing	17	64	19	100
9	If he/she goes on holiday with friends or with his/her parents	13	69	18	100
10	In case of the parents getting divorced, with whom he/she prefers to live	2	38	60	100
11	In case of having to live away from his/her home, in which environment he/she would like to live	2	49	49	100
12	Decisions regarding his/her education	1	31	68	100
13	If he/she continues school or leaves it in order to work	12	64	23	100
14	The profession or occupation he/she would follow in his/her life	1	30	69	100

1. Except for a very small proportion, children in our sample believe that a child of 16-18 years of age has the right to express his/her opinion in all matters that concern him/her, and even demand that his/her opinion is respected.

2. In particular, children feel very strongly about the child's right to decide by himself about his/her education (ie choice of school or direction of education, extra-curriculum educational activities, etc.,) and about the profession or occupation he/she would follow in his/her life. I think this finding must be seen in relation to the high expectations and pressures that Greek parents often impose on children regarding certain educational or professional choices.

Table 3

Should or shouldn't a child of 16-18 years of age demand that his/her opinion in the following matters is respected by his family or school environment?

		"YES" Answers		
		Children in Children's Homes (%)	Children in Family Support Centres (%)	All Children (%)
1	The profession or occupation he/she would follow in his/her life	59	79	69
2	Decisions regarding his/her education	58	78	68
3	In case of divorce of his/her parents, with whom he/she prefers to live	57	61	59
4	The kind of music he/she listens to	42	60	51
5	In case of having to live away from his/her family environment, in which environment he/she would like to live	40	59	49
6	The way he/she dresses	36	51	43
7	The friends he/she wants to have	33	52	42
8	The books/games he/she likes	33	50	41
9	The hour he/she goes to bed	22	39	30
10	The time-length and kinds of TV programmes he/she watches	22	33	28
11	If he/she continues school or leaves it in order to work	23	24	23
12	The food he/she prefers	20	27	23
13	The hour of his/her return home after an outing	17	19	18
14	If he/she goes on holiday with friends or his/her parents	19	17	18

1. The table reveals significant discrepancies in the answers of children living in Children's Homes (CHs) and the children of Family Support Centres (FSC). The children in CHs appear to be in all matters less demanding to have their rights respected.

2. The most significant differences are those regarding educational and professional choices, where almost 80% of children in FSC believe that the child's opinion must be respected by his family/school environment, while less than 60% of children in CHs believe so.

Even in choices of where to live, if a child had to live away from his family environment, children in CHs are significantly less demanding to have their opinion respected than children in FSC.

Table 4

Should or shouldn't a child of 16-18 years of age demand that his/her opinion in the following matters is respected by his/her family or school environment?

		"YES" Answers		
		Boys (%)	Girls (%)	All Children (%)
1	The profession or occupation he/ she would follow in his/her life	68	69	69
2	Decisions regarding his/her education	67	69	68
3	In case of divorce of his/her parents, with whom he/she prefers to live	64	54	59
4	The kind of music he/she listens to	57	45	51
5	In case of having to live away from his/her family environment, in which environment he/she would like to live	48	51	49
6	The way he/she dresses	47	40	43
7	The friends he/she wants to have	43	42	42
8	The books/games he/she likes	40	42	41
9	The hour he/she goes to bed	35	16	30
10	The time-length and kinds of TV programmes he/she watches	29	26	28
11	If he/she continues school or leaves it in order to work	28	19	23
12	The food he/she prefers	22	24	23
13	The hour of his/her return home after an outing	35	26	18
14	If he/she goes on holiday with friends or his/her parents	22	14	18

1. Sex differences in children's answers to the same question are not as important as differences with regard to whether the children lived in an institution or with their families. However, generally speaking, boys appear to be more determined to have their opinion respected than girls.

2. Particular issues that boys feel more strongly about than girls is deciding for themselves the music they listen to and the hour they go to bed.

Table 5

Should a child respect and follow the political and religious beliefs of his/her parents, or could he/she have different beliefs?

	Children in CHs (%)	Children in FSC (%)	All children (%)
- A child should respect and follow the political and religious beliefs of his/her parents	40	37	39
- A child could have different political and religious beliefs from those of his/ her parents	56	54	55
- Other answers	4	9	6
Total	100	100	100

	Boys (%)	Girls (%)	All children (%)
- A child should respect and follow the political and religious beliefs of his/her parents	44	34	39
- A child could have different poli-tical and religious beliefs from those of his/her parents	50	60	55
- Other answers	6	6	6
Total	100	100	100

1. The majority of children (55%) believe that children could have different political and religious beliefs from those of their parents.

2. However, one must note that 40% of children believe that children should respect and follow the political and religious beliefs of their parents.

3. It is interesting to note that 6 children (or 4% of the sample) stated that a child could have different political but not religious beliefs from those of their parents. This attitude could reflect the strong impact of religion on the conscience of many children.

4. No significant differentiations in answers according to the place of residence or sex were found, though girls appear to be more likely to defend the idea that a child may have different beliefs from his parents.

Table 6

Some people believe that children are immature to form associations or councils in order to collectively promote matters that interest them. Do you agree with this belief?

	Children in CHs (%)	Children in FSC (%)	All children (%)
- Children are indeed immature	6	3	5
- Children are mature	6	25	15
- It depends on the age of the children	84	63	73
- Other answers	4	9	7
Total	100	100	100

	Boys (%)	Girls (%)	All children (%)
- Children are indeed immature	7	3	5
- Children are mature	13	17	15
- It depends on the age of the children	74	73	73
- Other answers	6	7	7
Total	100	100	100

1. The majority of children believe that children's capacity to form associations or councils in order to promote collectively matters that interest them depends on their age.

2. However, children living in CHs, to a much greater extent than children in families, believe that children are not capable of forming associations or councils. In fact only 6% believe, without an age limit reservation, that children are mature for such matters compared to 25% of children living in families.

3. No significant differences are found as regards the sex variable, though girls are a little more likely than boys to believe that children are mature enough for such matters.

Table 7

If you believe that the age of the child determines how mature He/she is to form/enter associations or councils, which age limits do you think are appropriate?

	Children in CHs (%)	Children in FSC (%)	All children (%)
From 12-14 onwards	2	2	2
From 13-15 onwards	96	16	12
From 16-17 onwards	48	61	54
From 18 onwards	41	21	32
Total	100	100	100

	Boys (%)	Girls (%)	All children (%)
From 12-14 onwards	3	1	2
From 13-15 onwards	4	20	12
From 16-17 onwards	55	52	54
From 18 onwards	38	27	32
Total	100	100	100

1. Of those children that believe that there is a lower age limit which determines how mature a child is, the very large majority state that this age limit is 16-18.

2. Again, children in CHs appear more conservative in their attitudes in this matter setting the lower age limit for children's capacity at a much higher level. We note in particular that 41% of these children believe that only people of 18 years of age and over are mature to form associations or councils.

3. Important differences also arise between boys and girls, with the girls setting the lower age limit of maturity for children at a much younger age than boys. This, we believe, is a reflection of girls getting mature at an earlier stage of development.

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Table 8

Which of the following do you consider as "interference" or "violation" of the private life of a child, and an offence against his/her dignity, and should be avoided irrespectively if they come from parents or others?

	Children in CHs (%)	Children in FSC (%)	All children (%)
1. Reading of personal letters or diaries, without the child's knowledge	92	94	93
2. Listening to a telephone communication without the child's knowledge	87	91	89
3. Use of offensive words	87	91	89
4. Checking of personal things	81	89	85
5. Checking of adolescents' out-look - friends - hour of return after an outing	28	44	36
6. Checking the tidiness of personal space (ie a child's room)	17	35	26
7. Checking of personal cleanliness	17	25	21

	Boys (%)	Girls (%)	All children (%)
1. Reading of personal letters or diaries, without the child's knowledge	93	93	93
2. Listening to a telephone communication without the child's knowledge	88	90	89
3. Use of offensive words	88	90	89
4. Checking of personal things	81	88	85
5. Checking of adolescents' outlook - friends - hour of return after an outing	41	31	36
6. Checking the tidiness of personal space (ie a child's room)	22	29	26
7. Checking of personal cleanliness	18	23	21

1. Children feel very strongly about members of the family or other people reading their personal letters or diaries or listening to their personal communication without their knowledge. Also, they feel strongly about others using offensive words when talking to them. This strong feeling is shared by all children, irrespective of them being boys or girls and if they live in CHs or in families.

2. However, children do not consider as an interference in their private life if parents or other guardians check the tidiness of their personal space or their personal cleanliness. Children in CHs believe even less than children in families that such action constitutes an interference in their private life. This is not surprising, since children in institutions are growing up in an environment that allows for much less private life.

Table 9

Do you think that physical punishment of children is an accepted measure of discipline?

	Children in CHs (%)	Children in FSC (%)	All children (%)
- Yes, in all cases	2	4	3
- Yes, in some cases	28	20	24
- Yes, depending on a child's age	23	24	23
- No, in no case	41	46	44
- They do not know/do not answer	6	6	6

	Boys (%)	Girls (%)	All children (%)
- Yes, in all cases	3	3	3
- Yes, in some cases	21	27	24
- Yes, depending on a child's age	29	18	23
- No, in no case	38	49	44
- They do not know/do not answer	9	4	6

1. Children seem to have different views regarding the issue of physical punishment as a measure of discipline.

While only a very small percentage see it as a measure acceptable in all cases, 24% see it as an acceptable measure in some cases, 23% say that it depends on the child's age, 44% oppose it and 6% do not give an answer.

2. Girls appear to be more negative than boys to physical punishment of the children.

Table 10

Do you think that you have sufficient time for leisure and creative activities?

	Children in CHs (%)	Children in FSC (%)	All children (%)
Yes	71	52	62
No	29	48	38
Total	100	100	100

	Boys (%)	Girls (%)	All children (%)
Yes	73	51	62
No	27	49	38
Total	100	100	100

Table 11

If you do not think that you have sufficient time for leisure and creative activities, what are the reasons?

	Children in CHs (%)	Children in FSC (%)	All children (%)
- Pressures from parents - guardians for school study	19	14	16
- Burden of school work and tuition classes	56	90	77
- Other obligations	37	29	21

	Boys (%)	Girls (%)	All children (%)
- Pressures from parents - guardians for school study	14	17	16
- Burden of school work and tuition classes	82	74	77
- Other obligations	25	19	21

1. It can be seen from Tables 10 and 11 that children in general express the view that they have sufficient time for leisure and creative activities (62%).

2. However, significantly more children in FSCs than in CHs say that they do not have sufficient time for leisure and creative activities. We believe that this is explained by the fact that children in families are more expected and pressed, often in an indirect way, to succeed in school and in life and thus are more likely to be burdened by school studies, extra tuition and extra-curriculum educational activities.

3. Significantly more girls than boys say that they have no leisure time. Again, we believe that this is due to the fact that social expectations regarding schooling performance are more highly internalized by girls than by boys.

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Cultural Rights

1. Children perceive that the differential outlook and behaviour of gypsy children constitutes a problem for most of the other children in school. Children in Family Support Centres and girls believe this to be so more than children in Children's Homes and boys.

2. On the other hand, the majority of children state that for them this is not a problem.

How can we explain this big discrepancy? Do children overestimate the negative feelings of the other children towards gypsy children? Or do they not admit their own negative feelings and thus understate them?

Table 12

Elias is a 12 year old boy with normal mental development but with physical disability. He is in a wheelchair. Do you think that Elias :

a) should attend an ordinary school in his area?
b) should attend a school exclusively specifically for children of similar disabilities?
c) should be taught at home?

	Children in CHs (%)	Children in FSC (%)	All children (%)
- He should attend an ordinary school in his area	36	53	44
- He should attend a school exclusively and specifically for children with physical disabilities	56	45	50
- He should be taught at home by teachers	7	2	1
- Other answers	1	-	1
Total	100	100	100

	Boys (%)	Girls (%)	All children (%)
- He should attend an ordinary school in his area	43	46	44
- He should attend a school exclusively and specifically for children with physical disabilities	49	51	50
- He should be taught at home by teachers	7	3	5
- Other answers	1	-	1
Total	100	100	100

1. More than half of the children in our sample perceive children with special needs as differing from other children and believe that it would be better for them to attend special schools or be taught at home. The basic reason given is that children with special needs will feel more comfortable in a school where the pupils had similar problems than in an ordinary school.

2. Children in CHs particularly express this kind of attitude.

Table 13

A residential institution in Greece, which usually takes care of Christian Orthodox children, receives, as newcomers, a small number of Muslim children with their particular eating habits (ie forbiddance of eating pork). Do you think that the institution should adjust its daily menu so as to satisfy the religious beliefs of these children, something that would mean extra burden to the daily running of the institution, or should these children submit to the established daily running of the institution?

	Children in CHs (%)	Children in FSC (%)	All children (%)
- The institution should respect the religious beliefs of the children	62	78	70
- The children should respect the established rules of the institution	38	22	30
Total	100	100	100

	Boys (%)	Girls (%)	All children (%)
- The institution should respect the religious beliefs of the children	65	75	70
- The children should respect the established rules of the institution	35	25	30
Total	100	100	100

1. The majority of children (70%) accept that we should respect the different cultural beliefs of other groups in society.

2. However, children in CHs are less likely than children in families to hold such attitudes. Boys are also less likely to hold such beliefs than girls.

Table 14

Costas (11 years old) and Katerina (8 years old) are orphaned from their father. Their mother, due to her mental illness, neglects her children. However, they love her and want to be with her. Some people believe that it would be in the children's best interest to find another environment for them (ie family of a relative, a Children's Home, etc.,). What is your opinion?

	Children in CHs (%)	Children in FSC (%)	All children (%)
- The children to stay with their mother	7	18	13
- The children to stay in a family of a relative, in a close distance from the mother	50	60	53
- The children to stay in a Children's Home that would secure frequent communica-tion with the mother	47	10	34
- Other answers	-	2	2
Total	100	100	100

	Boys (%)	Girls (%)	All children (%)
- The children to stay with their mother	10	15	13
- The children to stay in a family of a relative, in a close distance from the mother	59	49	53
- The children to stay in a Children's Home that would secure frequent communication with the mother	31	36	34
- Other answers	-	2	2
Total	100	100	100

I think that the most striking percentage in this table is that of children in CHs that choose the Children's Home as the best solution for the case. Five times more children in CHs choose this solution than children in families.

What does this mean? Do children in institutions, in a way, feel secure in the environment they live in and prefer it to other solutions? Do they feel they have the support of the institution? Or is it perhaps a solution thoughtfully chosen amongst others?

Table 15

The parents of George (8 years old) immigrate to Germany for reasons of work. Believing that George should not change cultural habits and forget his language, they leave him back home with his grandmother in the village in Greece.
Their decision means that George, during the crucial years of his development, will not be with his parents. What solution do you think would be best for the child?

	Children in CHs (%)	Children in FSC (%)	All children (%)
- To stay with his grandmother	26	16	21
- To immigrate with his parents	72	77	75
- Other answers	2	7	4
Total	100	100	100

	Boys (%)	Girls (%)	All children (%)
- To stay with his grandmother	31	12	21
- To immigrate with his parents	67	82	75
- Other answers	2	7	4
Total	100	100	100

1. The majority of children believe that for a child it is more important to be with his parents even if this means risking him/her forgetting the language, or change cultural habits.

2. However, more children living in families than in CHs, and significantly more girls than boys believe that it would be better for the boy in the case to immigrate with his parents than stay with his grandmother.

Perception of possible action in cases of violations

Table 16

In the case you believed that your fundamental rights relating to your health, integrity and dignity are violated by members of your family, school or social environment, what would you do?

	Children in CHs (%)	Children in FSC (%)	All children (%)
- They would do nothing	2	3	2
- They would not know what to do	4	3	3
- They would react violently against the person(s) that violated their rights	16	9	12
- They would talk to their parents	35	49	42
- They would talk to their siblings	7	5	6
- They would talk to friends	4	9	7
- They would talk to the personnel of the Children's Home (if they lived in one)	16	3	9
- They would talk to various professionals they knew (teachers, social workers, etc.,)	10	11	10
- They would visit a special Social Service	4	3	4
- They would contact the police	3	3	3
- Other	-	3	2
Total	100	100	100

1. Parents are still, for most children, the people that they feel closer to, turn to and rely upon in cases of serious trouble such as violations of their fundamental rights. Even for children living in CHs, parents are the first people they think to turn to.

Girls are more likely to turn to parents than boys, something that expresses, we believe, their more intense emotional bond with their parents.

2. Of interest to note is the second in priority choice of children, which is violent reaction to those that violated their rights. Here, twice as many children in CHs than in families said they would follow this kind of action.

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Table 17

It is often the case that children whose fundamental rights are violated do not know where to turn to for help. Which of the following do you think will help children the most?

Children's first choice	Children in CHs (%)	Children in FSC (%)	All children (%)
- A Social Worker or Psychologist at school	28	42	35
- A teacher acting as a personal counsellor for a child	22	25	23
- A Social Worker or Psychologist in the area for free advice	22	19	20
- A telephone line for children	13	24	18
- A special police section where children could call for help	16	8	13
- An ombudsman for children	10	6	8

	Boys (%)	Girls (%)	All children (%)
- A Social Worker or Psychologist at school	30	39	35
- A teacher acting as a personal counsellor for a child	28	19	23
- A Social Worker or Psychologist in the area for free advice	18	22	20
- A telephone line for children	14	22	18
- A special police section where children could call for help	9	4	13
- An ombudsman for children	12	4	8

1. To have a Social Worker or Psychologist at school where they can turn to for help is the children's first choice of services that should be available in order to help them. However, one must note that significantly less children in CHs consider this as their first choice, something that might signify the demystification of the role of Social Workers or Psychologists, both of whom children in institutions have usually frequent contact.

2. Teachers acting as personal counsellors, is the children's second in priority.

These first two choices signify, perhaps, that the familiar children's school ground provides an environment where social services are welcomed by children.

3. A telephone line for children, which is not as yet available in Greece, seems also to rank high in the children's choices, especially for children in families.

4. It is interesting to note, finally, that twice as many children in CHs than in families consider the police as a choice that would help children most in cases of violations of children's rights.

Children's duties

Table 18

Do you consider justified the expectations that parents or other guardians have from children regarding the following matters?

	Absolutely justified (%)	Relatively justified (%)	Not justified (%)	Total (%)
- To participate, according to their age, in household tasks	62	35	3	100
- To show interest in their school lessons	83	16	1	100
- To inform their parents/ guardians where and with whom they go out, and what time they return home	78	20	2	100
- To follow rules of body hygiene	67	27	6	100
- To follow regular hours for food	40	48	12	100
- To recognise both parents the right to have a personal life and to follow a career	68	28	4	100
- To treat their younger brothers/sisters in a good way	79	20	1	100
- Not to use offensive words	77	19	4	100
- To respect their parents	91	8	1	100
- To keep personal contact with close relatives	44	46	10	100
- To be understanding with the parents' financial difficulties	81	16	3	100

1. It can be seen that children appear to consider almost all parents' expectations of children's duties as justified. Particularly, children are in almost total agreement about the respect they should show to parents. The only parental expectations that they seem to agree with less is keeping personal contact with close relatives and following regular food hours.

2. Children in CHs appear to be more in agreement with all expectations than children in families. In particular, we stress the significantly higher proportion of children in CHs that consider absolutely justified the expectations of parents or other guardians to follow rules of bodily hygiene, to follow regular hours for food, to participate in household tasks, to keep personal contact with relatives. On the contrary, fewer children in CHs than in families are willing to recognise parents and particularly mothers the right to a career and a personal life.

Concluding remarks on the survey

1. The majority of children defend their right to freedom of opinion, self-respect and autonomy, and respect the rights of other cultural and social groups. Yet, considerable differences arise between children in institutions and children in families and, to a lesser extent, between boys and girls.

2. Children in institutions appear to have a lower degree of perception of their rights. They are clearly :

- less defensive of the idea that their opinions must be respected by their family, school or social environment;
- less confident of their capacity to act collectively;
- less perceptive of their right to privacy;
- more likely to act violently in case of violation of their rights.

I think that the profile of children in Children's Homes that comes out of this small survey reconfirms the difficulty that such institutions face in providing children with opportunities of autonomy and participation through which the children's self-confidence and perception of their rights are raised.

Regarding what we called "cultural rights", again, children in Children's Homes appear to be less perceptive : they are less willing than children in families to respect the right of other cultural groups to follow different beliefs or cultural habits or give them equal opportunities for participation in society. More generally, they express more conservative and submissive attitudes, in particular as regards the authority of adults.

3. Girls appear more perceptive than boys, both in the case of "subjective", as well as in the case of "cultural" rights.

They are :

- more clearly supportive of the view that children are mature enough to act collectively;
- more negative to physical punishment of children;
- more willing to respect the differing cultural beliefs and habits of others;
- more likely to recognise the need of the children to be with their parents.

However, girls are less likely than boys to demand from their social environment to respect their opinion. Thus, girls appear to be more perceptive of their rights but, at the same time, less willing to demand and defend them. This is not so surprising considering that there are still differing patterns of socialization between boys and girls with the boys being socialized to a greater degree of independence and autonomy.

4. A final comment with regard to the survey must be made. Messages from our Centres and Homes indicate how children enjoyed participating in the survey. To quote a Psychologist responsible for the survey in Ioannina Children's Home : *"I would like to convey you the enthusiasm of children in*

participating in such activities and their wish to learn the results of this survey when it is completed". This is, of course, something that we committed ourselves to doing. We are also hoping to extend the survey to greater numbers and to other categories of children, but also to parents and professionals.

Final Comments

The visibility of the child's perspective, the knowledge of the child's perception of his rights is a perception for adults too, because it provides us with insights as to his way of thinking and his view of the world.

"Children are the most photographed and less listened" somebody said. Is it, perhaps time to start listening to children? To make sense of their needs, desires and meanings? To stop talking for them and defining for them their needs and rights? To be more careful with the idea that we know best and we judge best what is good for them? To stop, as parents, imposing on children our own failed aspirations and expectations? To be particularly cautious, as professionals, to provide the opportunity to children in adverse circumstances to truly choose, rather than tell them what is best for them?

So many actions in so many parts of the world that were even hurting children's physical integrity have been perceived or justified as serving the "child's own good".

Where do we go from here? How do we raise the child's perception of his rights and develop in children human rights attitudes?

How do we help all those that come into contact and have a socializing role with regard to children (parents, teachers, child care workers, media) to improve their understanding of children's needs and rights to help, in turn, children to raise their level of perception of their rights and the rights of others? What mechanisms do we set up that facilitate the perception of the children's opinions and needs?

Of all these groups, children are perhaps the most receptive to developing human rights attitudes and values since they have not, as yet, built up a firm body of conceptions and values. Yet, we have to think of ways and methods through which the human rights education of children becomes more effective, because ex-cathedra, abstract teaching, as everyone would admit, is not the best method to be suggested. By what methods theoretical knowledge is discussed with everyday experience, by what ways anti-racist attitudes are best developed, by what means an understanding, acceptance and respect of the "other" or the "different" is best achieved. Experiences and practices in different parts of the world seem to point to the powerful educative effect of actual practices of real democratic participation in children developing democratic values, responsibility, self-confidence and self-respect, but also respect for others. Education through participation demands that children must be given opportunities, means and even structures to express themselves in an individual or collective manner. But here again consideration must be given to the fact that socially excluded children (ie poor children, refugee and migrant children, gypsy children) due to a variety of factors (ie language difficulties, lack of certain social skills, distance or alienation from dominant culture) cannot have the self-

confidence or motivation necessary to develop competencies for participation. I think this is the case for children in institutions, too, as our survey has shown. The challenge for practitioners is how to raise the self-confidence and self-esteem of these children.

How about socializing agencies such as parents or professionals? It is usually assumed that personnel such as teachers and child care workers, who choose to work with children and undergo long education and training are sensitive to children's needs and supportive of their rights. However, the not so rare cases of teachers or child care personnel who abuse children and offend their dignity (ie use of offensive words or humiliating treatment) or appear indifferent to their needs, and the frequent, I would argue, cases of personnel that seem "to know best" when it comes to children, raise doubts whether and to what extent in such circumstances human rights values could be effectively transmitted. In this respect we have to consider issues of staff training and continuous education, of how and with what procedures we choose personnel that work with children, how we supervise and support them in everyday practice, how we monitor and evaluate their work. Above all, we must remember that we cannot expect teachers or other child care personnel to transmit human rights values to motivate children, to raise their self-esteem and develop their participatory attitudes, if they themselves feel that the system does not respect their rights, does not enhance their esteem or does not provide them with opportunities of self-expression and participation.

The empowerment of children cannot come through disempowered and frustrated personnel. I think that this is a point that we have to consider, particularly for personnel working in residential institutions.

Parents play perhaps the most powerful role in the socialization of a child. However, considerable differences exist amongst parents as to the attitudes and values transmitted to children and the methods and practices of socialization. Very many cultures and very many parents have strong feelings about disciplinary methods for children that include physical punishment. In Greece, in a recent large-scale survey, 17% of parents admitted that they physically punish their children daily.[4]

How can parents, in a culture that treats children as "objects", be encouraged to open up their traditional practices to greater participation and autonomy of children? How can socializing practices in the family that give less opportunities to girls for independence be minimized? Though no easy answer can be given to this question, I think that the media might have a part to play in this matter.

Poor and socially excluded parents who, in their daily lives, are not given opportunities for freedom of expression, autonomy and independence cannot socialize their children in the values of autonomy and independence.

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[4] Evidence from a large-scale survey (8158 children) that took place with the responsibility of a Paediatric Clinic of Athens University in 1990. Person in charge : Chr. Bakoula

Culturally excluded groups have low self-esteem and lack the social skills necessary to promote to their children the capacity to express themselves and participate in the dominant culture.

How do we raise the self-confidence of such parents? How do we empower them so that, in turn, they empower their children?

Again, no easy answers can be given. Yet field experiences and practices all over the world point to the skills required and the direction to be followed. We need first of all, as practitioners or policy-makers, to have a clear understanding of the context and causes of deprivation and social exclusion. We need to develop methods of reaching out to them and not expecting and waiting for them to come to us. We need to work on and develop patterns of participation of parents and families that little by little build up involvement and self-confidence. And I think some successful examples of such practices can be found in Europe.

To conclude, children, parents, professionals, but also decision-makers, need to develop arenas of communication in which knowledge, experiences, perspectives, values and feelings may be shared. I think community agencies could help in this direction, working towards the development of bridges and partnerships. The European Year of the Elderly and Solidarity Between Generations provided us with some good examples of how partnerships between generations could enhance the understanding between different categories of people and lead to a positive change of attitudes as regards the images they hold of each other.

After all, the culture of listening to each other is at the heart of democratic culture. If we treat children as "subjects", as the UN Convention wants us to do, we have to, in legislation, policy and everyday practice, develop all the necessary conditions and mechanisms that children are listened to and that their voice has a real effect on matters that concern them.

SUMMARY OF RECOMMENDATIONS

This summary has been constructed under the heading of *social exclusion, protection of children and family support.* It commences with those recommendations addressed to child welfare organisations, proceeds to national government level and ends with European Institutions.

The European Forum for Child Welfare will take positive action to encourage and promote the implementation of as many of the recommendations as possible and will incorporate the appropriate ones within its own work programme.

1. Child Welfare Organisations

1.1 To combat social exclusion, child welfare organisations should :

a. implement action on racism and xenophobia at "grassroots" level, developing a more efficient network in order to share experiences;

b. put participation and empowerment of local communities, together with a clear understanding of need, at the centre of all their activities.

1.2 In working for the protection of children, child welfare organisations should :

a. provide more treatment facilities for children who have been abused and for those who abuse, and this should become a priority for service development;

b. consider the need for research into the outcomes for children of cases where a legal prosecution of an alleged abuser has been dropped, despite strong suspicion of abuse occurring. Schemes such as the Dutch Confidential Doctor Scheme should be evaluated and replicated where appropriate;

c. promote the argument that preventive strategies which build on the strengths of families must be given a higher priority for funding and service development;

d. organise campaigns to :
   * collect data about organ transplants from living children,
   * involve medical professionals and their organisations,
   * invite journalists to explore the issue in a balanced way,
   * lobby, through governments, for a legal instrument on transplantation,
   * lobby international organisations to draft and adopt an International Convention on organ transplantations.

   (This recommendation will go to the IFCW meeting in Madras as a resolution from EFCW);

e. establish proper vetting arrangements in respect of staff and volunteers who work directly with children;

f. set up training programmes which include :
   * selection and recruitment of staff and volunteers,
   * vetting procedures,
   * monitoring and supervision of staff and volunteers;

g. recognise that child sexual abuse happens in all European States and, therefore, should establish procedures whereby children should be listened to in respect of any allegations they may make against an alleged adult perpetrator.

1.3 In considering family support, child welfare organisations should :

a. create and/or expand support for families - through mediation systems, conciliation schemes, counselling services especially for (step) families in difficulty or facing separation;

b. organise adult realization campaigns on the need for families to stay together;

c. realize action plans and collect information to press governments to "nationalise" tactics on child maintenance;

d. argue that the welfare of children is a priority and that day care provision should be seen as primarily for the benefit of children.
Special attention should be given to the holistic needs of babies and very young children;

e. be aware of the possibility of women's exploitation from employers direct contribution to day care;

f. in working in rural areas,
   * allow people to define their own needs,
   * investigate ways of reducing inequality of access,
   * look at the possibilities of computer networking and create networks for work opportunities,
   * use the media to highlight successes,
   * exchange detailed practical information,
   * develop community models to help those organisations trying to start rural projects.

2. National Governments

2.1 To combat social exclusion, national governments should :

a. establish special programmes on racism and xenophobia within school education, child protection systems, health services, etc.;

b. give more financial support to the work on discrimination of child welfare NGOs;

c. harmonise their policies across European States in respect of unaccompanied refugee children, and share their responsibilities;

d. review the adequacy of their social security systems to meet new forms of family needs, and ensure an adequate standard of living for children.

2.2 In working for the protection of children, national governments should:

a. seek to achieve changes in attitude towards children and behaviour, on the issue of child sexual abuse and sexual exploitation through both public education and changes in legislation;

b. establish the position of an ombudsperson. She/he would be in charge of the protection of children against sale by controlling international adoption, child abuse exploitation and the abduction of children;

c. establish vetting procedures whereby all governments could access information in respect of staff working directly with children.

2.3 In considering family support, national governments should :

a. define/construct the measures upon which the needs for family support will be evaluated;

b. actively introduce public education programmes for step-families and would-be such families;

c. on the issue of child maintenance, should not enforce any legislation retroactively (provide time-spans for adjustment) :

* to the idea of resuming responsibility over the child on a life-time basis,
* to bearing such responsibility in actual terms;

d. establish broad based day care services based on a holistic approach to children's needs, partnership arrangements and effective co-ordination of services;

e. fully implement the European Child Care Recommendation.

3. European Forum for Child Welfare

The EFCW proposals on child pornography and sexual exploitation should be progressed and a cross European strategy on tackling child pornography developed and implemented.

4. European Union

***4.1 To combat social exclusion, the European Union should*:**

a. produce guidelines on racism and xenophobia that are clear and concrete, with a constant monitoring of the situation, and the media;

b. work towards a common cultural and educational policy : a priority may be seen in financial support of special training programmes;

c. carry out research on child poverty throughout Europe, which takes into account children's own views on their needs;

d. ensure that the new Social Exclusion Programme has a clear focus on children, with the intention of collecting comprehensive data on poverty, and setting targets to overcome social exclusion;

e. ensure that in the revision of the Maastricht Treaty in 1996, children are included as an area of competency for the EU in the future.

***4.2 In working for the protection of children, the European Union should*:**

a. recognise that child sexual abuse happens across all Member States, and work towards agreeing a common preventive strategy for the early identification of known or potential abusers;

b. encourage communication among international organisations with concerted efforts, especially in the prevention of the sale of children.

***4.3 In considering family support, the European Union should*:**

a. conduct comparative studies defining the situation and collecting information for each Member State on child maintenance;

b. work towards making the Child Care Recommendation a Directive, binding on all Member States;

c. develop programmes specifically to prevent rural depopulation;

d. support the creation of new facilities to rural developing areas;

e. give support to projects based on current local initiatives.

5. Council of Europe

The Council of Europe should adopt a ***Standard Code of Practice*** for all government/non-governmental organisations who employ, or use, adults working directly with children.

EUROPEAN FORUM FOR CHILD WELFARE
FORUM EUROPEEN POUR LA PROTECTION DE L'ENFANCE
(A regional group of the International Forum for Child Welfare)

**"The Effects of Mobility:
The Rights of the Child in Europe"**

PROGRAMME

Day 1. Thursday 14th April

11.30-13.00	Registration
13.00	LUNCH
14.00	Welcome from the Chair **Tom White, President EFCW**
	Dr E Blassopoulos, Director National Welfare Organisation (Greece)
	Officials from the Greek Government
15.00	Setting the Scene
	"Children at risk in a mobile society and mobile children in a risky society" **Professor C G Spinnelli, Law School University of Athens**
15.45	TEA
16.15	"The Rights of the Child in the context of Human Rights" **Anna Gillett. Social Affairs Department Council of Europe.**
	"The European Community and the Rights of the Child" **Michele Teirlinck. DG V, European Commission**
17.30	Close
20.00	**Conference Reception by the Mayor of Athens**

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Day 2 Friday 15th April

09.30 Welcome by the Chair
Silvia Moroder, EFCW Bureau Member
President. Fundacion A.N.A.R. Spain

09.45 Workshop 1 : **Social Exclusion**

Introduced by Professor George Tsiakalos
Paedagogical School, University of Thessaloniki

10.30 COFFEE

11.00 a. Children from minority communities and indigenous populations - racism and zenophobia
Facilitator : Prof. Paolo Chiozza
UNICEF ICDC Italy

b. Refugee children
Facilitator : Wendy Ayotte
Children's Legal Centre, UK

c. Children and poverty
Facilitator : Brid Ruddy, Head of European Unit
NICVA Northern Ireland

13.00 LUNCH

14.30 Workshop 2 : **"Protection of Children"**

Introduced by Helen Agathonos-Georgopoulou
Director, Department of Family Relations
Centre for the Prevention of Child Abuse and Neglect. Institute of Child Health (Athens)

15.15 a. Sexual abuse and exploitation
Facilitator : Katherina Abelmann-Vollmer
Deutscher Kinderschutzbund (Germany)

b. Sale, trafficking and abduction of children
Facilitator : Giovanna Brianti
International Catholic Bureau (Geneva)

c. "Child Care Workers in a Mobile Society"
Openings for paedophiles?
Facilitator : Pat Connelly Regional Director
NSPCC Northern Ireland

16.30 TEA (break during workshop)

18.00 Close

20.00 **Conference Dinner. Courtesy of Greek NGOs**

Day 3 Saturday 16th April

09.00 **Annual General Meeting**

10.45 COFFEE

11.10 Welcome by the Chair
Owen Keenan. EFCW Bureau Member
Director Barnardo's, Ireland

11.15 The Child's Perception of Rights
Speaker : Evi Hatzivarnava
National Welfare Organisation, Greec

12.15 LUNCH

13.30 Workshop 3 :**"Families in Society"**

Introduced by Jane Tunstill
University of East Anglia and NCVCCO. UK

14.15 a. Stepfamilies and child maintanance
Facilitator : Erica De'Ath. Director
National Stepfamily Association (UK)

b. Reconciliation of work and family life
Facilitator : Haris Symeonidou
Economist-Demographer
Observatory on Family Policy. Greece

c. Family needs in rural areas
Facilitator : Pedro Ascensao
"In Loco", Radial (Portugal)

16.30 TEA

17.00 **Plenary Session**

"The Effects of Mobility : The Rights of the Child in Europe"

"How to present the issues to the Media"
Introduced by Ernesto Caffo. EFCW Bureau Member
President, Il Telefono Azzurro, Italy

18.00 **Close of conference. Tom White.**

The Effects of Mobility
The Rights of the Child in Europe
14-15 April 1994, Chandris Hotel, Athens

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The European Forum for Child Welfare (EFCW) - a regional group of the International Forum for Child Welfare - is a grouping of not-for-profit, non-governmental European child welfare organisations which has been set up to raise the profile of child welfare within Europe and its institutions.

It aims to improve the quality of life for children and young people in Europe and in particular:

- to ensure services for children in need and especially for those children whose rights are violated by individuals and/or states within Europe
- to assist national governments and institutions within Europe to understand children's needs and respond appropriately
- to support those members based in Europe who work with children in developing countries

EFCW arranges seminars and conferences, produces briefings and a quarterly newsletter. A database is kept on NGOs concerned with child welfare and this wide range of information is of assistance to legislators and policy makers.

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160